

HAYWARD POLICE DEPARTMENT

CASE REPORT

300 West Winton Avenue
Hayward, CA 94544

CASE# **2014-00050695**

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE Assault-Simple	CASE DISPOSITION
	OCCURRED FROM DATE/TIME 07/06/2014 04:06	OCCURRED THRU DATE/TIME 07/06/2014 04:06	LOCATION OF OCCURRENCE 500 W A St Hayward, CA 94541-

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT
	195.1 PC HomC	1	Commit

SUBJECT	SUBJECT TYPE Suspect		NAME (LAST, FIRST, MIDDLE SUFFIX) Mckinney, Jeffery, Jerome				<input type="checkbox"/> NON-DISCLOSURE	
	DOB AGE or AGE RANGE 6/12/1985 29		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX Male	RACE Black	EYE Brown	HAIR Black	HEIGHT or RANGE 5' 9" -	WEIGHT or RANGE 170		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]	

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]	

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]	

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]	

REPORTING OFFICER Racette	DATE 270	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 9/9/2014 06:40
-------------------------------------	--------------------	---------------------------	---

HAYWARD POLICE DEPARTMENT

CASE REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

See "Attachments" for case report.

REPORTING OFFICER

Racette

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|9/9/2014|06:40

HAYWARD POLICE DEPARTMENT

CASE REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

ADDITIONAL SUBJECTS

SUBJECT	SUBJECT TYPE Informant		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]	
	SEX [REDACTED]	RACE [REDACTED]		EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) Landreth, Ken,		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]	
	SEX [REDACTED]	RACE [REDACTED]		EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE (510)293-7272		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) Flores, Ricardo,		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]	
	SEX [REDACTED]	RACE [REDACTED]		EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE (510)293-7272		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) Faria, Jason,		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]	
	SEX [REDACTED]	RACE [REDACTED]		EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE (510)293-7272		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) Mizuhara, Keith,		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]	
	SEX [REDACTED]	RACE [REDACTED]		EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE (510)293-7272		PHONE #2 [REDACTED]

REPORTING OFFICER Racette	270	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 9/9/2014 06:40
-------------------------------------	-----	---------------------------	---

HAYWARD POLICE DEPARTMENT

CASE REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

ADDITIONAL SUBJECTS

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE				
	Other		Lunger, Scott,								
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)						
	SEX		RACE		EYE		HAIR		HEIGHT or RANGE		WEIGHT or RANGE
DL NUMBER/STATE		PFN		PRIMARY PHONE		PHONE #2					
				(510)293-7272							

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE					
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)							
	SEX		RACE		EYE		HAIR		HEIGHT or RANGE		WEIGHT or RANGE	
	DL NUMBER/STATE		PFN		PRIMARY PHONE		PHONE #2					

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE					
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)							
	SEX		RACE		EYE		HAIR		HEIGHT or RANGE		WEIGHT or RANGE	
	DL NUMBER/STATE		PFN		PRIMARY PHONE		PHONE #2					

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE					
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)							
	SEX		RACE		EYE		HAIR		HEIGHT or RANGE		WEIGHT or RANGE	
	DL NUMBER/STATE		PFN		PRIMARY PHONE		PHONE #2					

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE					
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)							
	SEX		RACE		EYE		HAIR		HEIGHT or RANGE		WEIGHT or RANGE	
	DL NUMBER/STATE		PFN		PRIMARY PHONE		PHONE #2					

REPORTING OFFICER	DATE	REVIEWED BY
Racette	270	07/06/2014
		mark.ormsby Ormsby, Mark W 9/9/2014 06:40

SUSPECT DESCRIPTION: Jeffrey McKinney, [REDACTED], BMA, Black hair, Brown eyes, 5'09", and 170 lbs.

SUSPECT STATUS: (S) McKinney was shot (3) times inside room #179 at the Phoenix Lodge at 500 W. A Street, Hayward, CA. Hayward Fire arrived to assist (S) McKinney with life-saving aid, but was pronounced deceased by Captain Jeffrey Leonard with Engine 6.

NARRATIVE: I am currently assigned to the Criminal Investigations Bureau (CIB) in the Hayward Police Department as a Detective in the Homicide Unit.

On 07-06-14 at 0445 hours, I was contacted by Sergeant Forkus who notified me that an Officer Involved Shooting just occurred in Hayward. Sergeant Forkus asked me to respond to the Hayward PD to start the investigation.

Upon arrival at the Hayward PD, Lieutenant Lutzinger provided a briefing on the details of the incident. Lt. Lutzinger said Hayward PD Communications received a call at 0406 hours on 07-06-14, reporting an unknown subject had forced his way into room #179 at the Phoenix Lodge at 500 W. A Street and assaulted the occupant of the room.

When the two officers dispatched to the call arrived, they found three subjects, two females and one male that all had been in the room when the unknown subject entered. The male subject told the officers he had previously been incarcerated with the suspect and knew him only as, "Jeff."

Officers Landreth and Flores were the first officers onscene. After they spoke with the three subjects that were in the room with the suspect, they attempted to make contact. When Officers Landreth and Flores knocked on the door, the suspect, later identified as (S) Jeffrey McKinney, refused to open the door. (S) McKinney also told the two officers it did not matter if more officers came, because he would take them all on.

Due to (S) McKinney acting erratically and stating he planned on fighting with police, Officer Flores asked Hayward PD Communications to send additional officers.

When Sergeant Lunger and additional officers arrived, they made several announcements, requesting (S) McKinney exit the hotel room. While preparing for (S) McKinney to exit the room, the officers could hear him yelling out and banging objects against the walls.

Lieutenant Lutzinger recalled he was told the "stack" or order of officers to enter the room was, Officers Landreth, Flores, Faria, Mizuhara, and Lunger.

When officers received a master key for the room, they made entry, where Officer Landreth found the door to the room had been barricaded with a piece of furniture. As

Officer Landreth pushed the door and furniture, he was met by an agitated (S) McKinney. During a struggle for Officer Landreth's handgun, Officer Landreth fired his handgun (1) time.

Officer Flores, who entered the room just behind Officer Landreth, pushed his way into the room to assist Officer Landreth. Officer Flores fired his handgun (2) times.

The additional officers moved into the room and assisted in detaining (S) McKinney. Sergeant Lunger called for emergency medical services. When Hayward Fire arrived, they pronounced (S) McKinney deceased.

At that time, (S) McKinney was unknown.

Lt. Lutzinger said all three subjects that came from room #179 prior to the incident were transported to the Hayward PD. The three witnesses were (W) [REDACTED] (S) [REDACTED] and (W) [REDACTED]

First, Detective Riley and I met with (W) [REDACTED] in an investigation interview room.

(W) [REDACTED] was explaining how he was ready to leave. I told (W) [REDACTED] we appreciated him coming to the police department to talk with us. We offered to get him water and food.

(W) [REDACTED] said he had recently been released from Santa Rita Jail and had spent the last couple of days at the Phoenix Lodge on A Street. (W) [REDACTED] later explained he was released only 5 days earlier. (W) [REDACTED] said he had been out on the town and while trying to get a room at other hotels in Hayward. (W) [REDACTED] explained how he was unable to get a room at any of the local hotels. He met a female the night before, (W) [REDACTED] (W) [REDACTED] decided to go and meet with (W) [REDACTED] to hang out. He explained how he had been in jail for quite some time, so he was seeking out (W) [REDACTED] for sex.

When (W) [REDACTED] reached the third floor of the Phoenix and approached (W) [REDACTED] room, he passed by a male he had been cell mates about a year earlier. (W) [REDACTED] only knew the male as, "Jeff," who was later identified as Jeffrey McKinney. He also described the guy as a "J Cat." I asked (W) [REDACTED] to explain what he meant by "J Cat." He explained (S) McKinney was always acting crazy and when they were cell mates, (S) McKinney had to be placed in a separate pod, due to his crazy behavior. (W) [REDACTED] described (S) McKinney's behavior as a mental condition more than being high on drugs.

(W) [REDACTED] said he entered (W) [REDACTED] room and they closed the door behind him to end the interaction with (S) McKinney. A few minutes later, they heard a knock at the door. (W) [REDACTED] told (W) [REDACTED] not to answer the door. When (W) [REDACTED] opened the door despite (W) [REDACTED] telling her not to, (S) McKinney forced his way into the room.

(W) █████ explained how (S) McKinney got into a physical fight with (W) █████ (W) █████ thought they were joking around at first. (W) █████ said (S) McKinney threw (W) █████ onto the bed and got on top of her. (W) █████ did not recall (W) █████ name and only could describe her by the clothing she was wearing and thought she might be Samoan. (W) █████ described (S) McKinney's behavior as crazy and like he was mentally ill.

(W) █████ never saw (S) McKinney with any weapons during the time he saw him that night.

(W) █████ recalled (W) █████ was able to get free and run out of the room. He recalled (S) McKinney yelling and screaming. When (S) McKinney turned his attention to (W) █████ he said he tried to calm him down as he grabbed his belongings before leaving.

Once (W) █████ was able to leave the room, he ran into another female he met the night before on the stairway. (W) █████ explained how he was trying to "hook up" with the second female, later identified as (W) █████

The next thing (W) █████ recalled was police officers showing up and pulling them back into the stairway.

While in the stairway with (W) █████ and (W) █████ (W) █████ recalled hearing several announcements made by police. (W) █████ recalled the separate warnings about sending in the K-9. (W) █████ could not give an exact number of warnings police gave, but he said they gave enough warnings for (S) McKinney to know who they were and gave him time to come out.

At one point, (W) █████ recalled hearing a lot of commotion, the dog barking, and noise. (W) █████ could not recall hearing gunshots, Tasers, or any other weapons being used.

(W) █████ explained how he wanted to end the interview because he needed to get back to the hotel to get his things. Specifically, (W) █████ wanted to go back into the room the incident took place to get his cell phone. Detective Riley and I explained how the room has been secured pending a search warrant we were in the process of obtaining. (W) █████ got angry and uncooperative because he was irritated he was not getting his cellphone back. We explained we would attempt to return his cellphone back to him as soon as possible.

(W) █████ said he is from the streets and really should not be talking to us anyway. At that point, (W) █████ was no longer cooperative and we ended the interview at 0747 hours.

The interview was recorded and copied onto a DVD. The DVD was placed into Hayward PD Evidence.

Next, Detective Riley and I met with one of the other witnesses, (W) [REDACTED] [REDACTED] (W) [REDACTED] explained how she is from the Sacramento area and arrived in Hayward the previous afternoon on 07-05-14 at about 1600 hours. (W) [REDACTED] came to the bay area with her friend to pick up her friend's boyfriend.

(W) [REDACTED] was returning from picking up some items at the store around the corner. As (W) [REDACTED] was walking up the stairway, she ran into (W) [REDACTED] (W) [REDACTED] said (W) [REDACTED] was coming down the stairs while she was walking up. (W) [REDACTED] explained how she met (W) [REDACTED] shortly after arriving at the Phoenix Lodge. When (S) [REDACTED] saw (W) [REDACTED] he asked her if she wanted to hang out. (W) [REDACTED] said it was about 2-3 am she thought and decided to hang out with (W) [REDACTED] (W) [REDACTED] walked her back up to the third floor and the room was about 4-5 doors down from the stairway.

After they entered the room, (W) [REDACTED] said there was a guy in the room already. The male was completely naked and acting crazy, saying, "Girl was playing me." (W) [REDACTED] described the male's behavior as aggressive and amped up. He was moving around the room and agitated about something.

(W) [REDACTED] explained how she had just seen a female in the lobby that was also agitated demanding another room. (W) [REDACTED] felt the male and female might have been in a fight and that was why they were both acting the way they were.

(W) [REDACTED] said (W) [REDACTED] tried to get her to sit down and hang out. (W) [REDACTED] said she was uncomfortable the moment she walked into the room, considering the male was completely naked. She said (W) [REDACTED] also looked uncomfortable with the male acting out in the room, but he was trying to make it work.

(W) [REDACTED] said she started to walk out and tried to convince (W) [REDACTED] to go to her room to hang out. The next thing she remembered was the naked male was walking up to her making comments like he wanted to "get with" her. (W) [REDACTED] started to walk out of the room when (W) McKinney grabbed her butt and grabbed her by the arm. When (W) [REDACTED] felt her arm get grabbed, she feared he was going to not let her leave and assault her. (W) [REDACTED] described quickly pulling her arm away from (S) McKinney and exited the doorway and entered the hallway. When she entered the hallway, she saw a police officer and felt she was safe.

The police officer ordered (S) [REDACTED] who exited behind her, to sit down in the hallway next to where she was ordered to sit. (W) [REDACTED] said the other female she saw in the lobby came upstairs and the police officers had her sit next to her and (W) [REDACTED]

When the police officers questioned the three of them, (W) [REDACTED] was the only one that knew who the male subject in the room was. (W) [REDACTED] recalled (W) [REDACTED] called him, "Jeff." (W) [REDACTED] did not recall (W) McKinney with any weapons when she saw him inside the room.

Next, (W) [REDACTED] said the officers moved the three of them to the stairway. From the stairway, (W) [REDACTED] could see police officers lining up next to the doorway of the room (W) McKinney was in. She also saw the police dog positioned outside the door to the room. She heard the police officers give repeated warnings for him to come out. (W) [REDACTED] said she could hear the male say, "I wanna see some titties," and, "Let them in, I'm not scared of no dog."

(W) [REDACTED] said after she saw the officers enter the room, she heard 2-3 gunshots. Next, she could hear the officers say, "Shots fired."

(W) [REDACTED] recalled seeing about 9 officers on the third floor of the hotel prior to the officers going into the room.

(W) [REDACTED] interview was recorded and copied onto a DVD. [REDACTED]
[REDACTED]

Inspector Lampkin and Detective Mosby interviewed (W) [REDACTED] [REDACTED] and she told them the following in summary.

(W) [REDACTED] said she had been staying at the Phoenix Lodge since July 3rd. While staying at the hotel, (W) [REDACTED] started hanging out with (W) [REDACTED] and described him as a nice guy. On the night of the incident, (W) [REDACTED] looked out of her door to see (W) [REDACTED] walking with another male, later identified as (S) McKinney. (W) [REDACTED] described the two as having a casual conversation as they walked toward her room.

(W) [REDACTED] walked into (W) [REDACTED] room and they started to hang out. After about 10 minutes, they heard a knock at the door and saw it was (S) McKinney. (W) [REDACTED] told (W) [REDACTED] not to answer the door, but she did anyway.

When (S) McKinney saw (W) [REDACTED] he started yelling at him about a phone. As they continued to argue about a phone, (W) [REDACTED] told them to go somewhere else and attempted to close the door to her room. (S) McKinney stopped her from closing the door and pushed the door open, entering the room.

When (W) [REDACTED] told (S) McKinney to get out of her room, he told her it was his room and he had paid for it. (S) McKinney and (W) [REDACTED] argued over the room until (S) McKinney started throwing her around the room. (S) McKinney fought with (W) [REDACTED] until he was able to push her all of the way out of the room. (W) [REDACTED] explained how (W) [REDACTED] never stepped in to help her while (S) McKinney was assaulting her.

(W) ██████ explained how (W) McKinney acted like he was crazy and high on something.

(W) ██████ went to the front lobby to report what happened hoping to get another room. Shortly after going to the lobby, (W) ██████ was contacted by two police officers. She told the two officers what occurred and explained how she did not know (S) McKinney. (W) ██████ described (S) McKinney to the officers and told them she did not see him with any weapons when she last saw him.

(W) ██████ said the officers had her sit out of the way as they made a lot of attempts to order (S) McKinney out of the room. (W) ██████ heard (S) McKinney tell the officers he did not care how many officers or dogs they brought, he was not leaving the room.

(W) ██████ said additional officers and a police service dog arrived. (W) ██████ said she clearly heard the officers identify themselves as Hayward Police Officers. ██████ said that she heard the dog-handler warn (S) McKinney about being bitten by the police service dog. (W) ██████ said that she heard the K-9 warning three or four times before police entered the room.

(W) ██████ overheard the officers making a plan before entering the room. (W) ██████ explained how the officers had difficulty getting into the room.

(W) ██████ said she heard officers give (S) McKinney a command right before she heard three gunshots. (W) ██████ said she heard the gunshots almost right after the officers entered the room. (W) ██████ said she heard (S) McKinney say something after hearing the popping sounds, but she could not recall the words.

See Inspector Lampkin's Supplement for further.

Detective Mosby noted ██████ had scratches on her arms and right shoulder and had a swollen bottom lip. (W) ██████ told them the injuries were from a physical altercation between her and (S) McKinney after he forced his way into her room. Detective Mosby documented the following injuries to (W) ██████

- Swollen bottom lip
- An approximate 1" long scratch on her left upper arm just above the elbow
- Multiple scratches ranging in sizes of about ½" to 1" in length along the backside of her upper left arm
- An approximate 2" long scratch on the top of her right shoulder
- An approximate 2" - 3" long scratch on the exterior of her left wrist

Detective Mosby took 19 photographs of (W) [REDACTED] and her visible injuries and booked them into HPD evidence on a CD.

See Detective Mosby's supplement for further.

Following (W) [REDACTED] interview, Detective Riley and I responded to the Phoenix Lodge at 500 W. A Street in Hayward. Detectives Mulhern and Bugarin were meeting with a Judge to have a Search Warrant signed for hotel room #179.

When we arrived at the hotel, Officer Landreth's and Officer Flores' police vehicles were in the same positions they left them in when they arrived to the call. The two patrol vehicles were parked on the same side of the building and visible from room #179.

On 07-06-14 at 1025 hours, Detective Mulhern called me to inform me the Judge had just signed the search warrant and granted it.

Next, I had CST Marquez take photographs of the room prior Detectives and members of the District Attorney's Office entering the room. Officers Linteo and Harden had been guarding the room securing it for the search warrant.

Once CST Marquez finished taking her "before" photos of room #179, we entered the room. I was accompanied by CST Marquez, Lieutenant Keener, Detective Riley, DDA Kevin Wong, DA Inspector Andrea Moreland, and Sergeant Forkus.

I immediately saw a large wooden dresser turned on its side next to the door. The next thing I saw was (S) McKinney lying in the middle of the room, on his back handcuffed. I could see some blood on the floor next to his body and some around his right armpit area, but no visible wounds.

The room contained furniture that had been moved from where you would normally expect to be placed in a hotel room. The only furniture that was not moved was the bed, which is fixed in place to the floor. There were multiple bags containing personal belongings inside the room.

I was alerted to the location of the three different casings. The first one was located inside the open closet area as you enter the room, next to a trash can. The next casing was next to an overturned chair, just on the other side of partition that divides the open closet from the north wall of the room. The third casing was on the floor a couple of feet from the second casing, underneath the television.

Detective Riley and I left the Phoenix Lodge and responded back to the Hayward PD. Detective Mulhern was assigned to complete the search warrant of room #179 with CST Marquez. See Detective Mulhern's supplement for further.

Officer Landreth recorded the minutes leading up to the entry into room #179, the actual entry into the room, and the seconds the incident occurred in. The recording was downloaded into the PUMA system.

I reviewed the digital audio recording and could hear the following. In the minutes leading up to the officers entering room #179, multiple officers can be heard giving commands and requesting for (S) McKinney to exit the room. When K-9 Officer Perryman gives several K-9 announcements, (S) McKinney can be overheard yelling that he "wants to see some titties." Other than that phrase, (S) McKinney can only be heard through the door yelling, but none of the words can be made out.

At about 12 minutes and 30 seconds into the recording, Officer Cannon's radio transmission can be overheard, stating (S) McKinney can be seen near the window. Just after the radio transmission, Sergeant Lunger's voice can barely be overheard giving the order to "go," and repeating the information Officer Cannon just gave.

Next, a noise that sounds like someone attempting to use a plastic hotel room key is heard at 12 minutes 36 seconds. The next thing that can be heard is movement and possible a door hitting another object. Officer Perryman's K-9 gets agitated and is making a bunch of noise.

A "pop" followed by a loud male voice screaming is heard at 12 minutes 43 seconds. The male screams continue as additional movement is overheard. Two separate commands of, "Get on the ground," while the male screams continually repeat.

One voice can be heard yelling, "Don't reach for that!" Two more "pops" can be heard, as additional commands of "Don't reach for that," are repeated.

As additional officers are heard moving into the room to assist, they talk about moving (S) McKinney into a position to handcuff him.

After (S) McKinney was detained, Sergeant Lunger can be overheard asking Hayward PD Communications to send in Hayward Fire.

Next, Sergeant Lunger can be heard asking which officers fired their handguns. Officer Landreth is heard saying, "I did. I was first. He reached for my gun. I thought he had my gun."

Another voice can be heard nearby saying, "And he grabbed this right here."

Sergeant Lunger asked different officers to escort the two shooting officers.

The recording was copied onto a CD and the CD was placed into Hayward PD Evidence.

Officer Perryman also recorded the incident on her digital recorder. Officer Perryman can be heard several K-9 announcements. (S) McKinney is heard responding a few times that he was not coming out until they, "Showed him some titties." One time you can hear (S) McKinney say, "You better show me some titties right now!" (S) McKinney can also be heard yelling and saying, "Fuck," as part as a response to the officers' commands.

Officers can be heard being instructed on who was going to be carrying lethal and less-lethal force options.

Next, Officer Cannon's radio traffic can be heard over the officers' police radios, stating (S) McKinney is next to the window holding what appeared to be a bottle.

Sergeant Lunger is overheard saying, "Let's go, Let's go, he's standing at the window."

It sounds like you can hear the door hit a fixed object, followed by one "pop." A couple of different voice can be heard saying, "Shots fired."

Next, a male voice lets out a couple of loud screams. A couple of different officers can be heard yelling, but their voices cannot be heard over the noise the K-9 was making. One officer is heard saying, "Don't reach for that." Then, (2) more "pops" are heard. In between the growling/moaning of the K-9, an officer can be heard yelling, "Do not reach for that!"

Officer Perryman confirms a request to have "Medics" respond.

A copy of Officer Perryman's recording was copied onto a CD and placed into Hayward PD Evidence.

On 07-08-14 at 1021 hours, Detective Riley and I arrived at 1640 D Street to meet with (W) McKinney's next of kin, [REDACTED] [REDACTED] [REDACTED] answered the door and asked how we could help her. I explained we were there to talk to her about (S) Jeffrey McKinney. [REDACTED] said she was Jeffrey's sister and asked what had happened and if it was involving him with drugs. As I started to talk to her, additional members of the household started to approach the front door. [REDACTED] stepped out on the landing outside the front door of her apartment and closed the door behind her. [REDACTED] expressed that she was scared about why we were there. I explained I was there to inform her that Jeffrey had passed away.

[REDACTED] immediately reacted to the bad news that I brought her and I asked that we step inside with her to discuss what occurred. [REDACTED] had her son take her dog and place the dog in a bedroom. [REDACTED] relayed the news that Jeffrey passed away to the other family members and they all became distraught. Before we could reveal the details of his death, they made comments about how they felt his drug problems were going take him

from them. [REDACTED] revealed that Jeffrey had been an addict of methamphetamines for quite some time. She said Jeffrey had participated in two different drug treatment programs in the past, but he had returned to the drugs since then.

I explained to [REDACTED] and her family the basic details of what occurred the night of the incident and how officers were called to the Phoenix Lodge due to (S) McKinney breaking into someone's room and assaulting them. When officers arrived, (S) McKinney was naked and attacked the officers and reached for their guns. I told [REDACTED] the officers shot (S) McKinney after he grabbed for their guns.

Detective Riley and I spent about 10-15 minutes with the family to help answer questions for them as best we could and provide them with our contact information if further questions came up. I also explained that if they needed any counseling or referrals for any services we could put them in touch with we were there to assist them.

[REDACTED] said she and Jeffrey's parents had both passed away and they were the only two members of their family left. [REDACTED] explained both how good a person Jeffrey was when he was off of the drugs, but how crazy he acted when he was on drugs.

I told [REDACTED] how all incidents involving officer-involved-shootings are investigated by the Investigations division, the Internal Affairs division, and the District Attorney's Office.

After about 15 minutes, [REDACTED] and the rest of her family thanked us for coming out and notifying them of Jeffrey's death. I asked [REDACTED] to call me with any questions she might have and she agreed to do so.

Detective Riley recorded our meeting with [REDACTED] [REDACTED] using his digital recorder and later copied it onto a CD. The CD was placed into Hayward PD Evidence.

I reviewed K-9 Officer Perryman's report and Puma digital recording.

When Officer Perryman arrived, Officer Flores and Sergeant Lunger informed her the people renting the room did not know (S) McKinney. (S) McKinney was still inside and the same person who forced his way into the room and possibly under the influence of drugs. The suspect was refusing to come out of the room for Police and was threatening to engage Police. Officer Perryman heard the suspect yelling profanities through the door. Officer Perryman recalled the suspect was so loud and aggressive that it caused her K9 to alert by barking. She heard (S) McKinney say, "fuck you!" and "Bitch!", but could not make out the complete sentences. Officer Perryman felt (S) McKinney was agitated and she could hear things banging around in the room.

Officer Perryman said there were numerous commands given to the suspect to come out of the room while she was at the call for service. She heard Sergeant Lunger, Officer Flores and Officer Landreth give (S) McKinney several commands to come out of the room. (S) McKinney refused to comply and yelled back at the officers.

Officer Perryman explained how she and Sergeant Lunger discussed the option of using the K-9. Officer Perryman explained how information on the number of occupants in room #179 was not reliable and the use of the K-9 based on that information would not comply with departmental policy.

Officer Perryman recalled Officers Flores, Landreth, Mizuhara, Faria, McKee and Sergeant Lunger positioned themselves at the door of the room. She turned on her PUMA DIGITAL RECORDER and made (3) K9 announcements. (S) McKinney's response was to yell back at the officers, but would not come out of the room. (S) McKinney yelled out saying, "titties" and "Fuck you!" (S) McKinney gave Officer Perryman no indication that he was surrendering or planning to come out.

Officer Cannon notified HPD Communications he could see (S) McKinney in the window and was possibly holding a bottle in his hand. Sergeant Lunger gave the go-ahead for officers to enter the room, since Officer Cannon had eyes on the suspect at the window.

Officer Perryman said she was 5th in the line to enter room #179. Officer Perryman heard a gunshot right as the first officers cleared the threshold. She did not have a full view into the room because of the 4 officers in front of her in addition to a large piece of wood furniture pushed up against the entry. Next, Officer Perryman heard Sergeant Lunger say, "Shots Fired!"

Officer Perryman recalled Sergeant Farro was behind her, so she stepped out of the doorway and moved her K9 out of the way. Next, Officer Perryman heard a male voice yell, "DON'T REACH FOR THAT!" and then heard 2 more gunshots.

See Officer Perryman's supplement report for further.

On 07-07-14, Detective Riley and I interviewed Sergeant Scott Lunger. Attorney Sarah Burdick with Rains, Lucia, and Stern sat in on the interview. Lieutenant Keener with the Office of Ethical Standards also was sitting in on the interview.

Sergeant Lunger is assigned to Team 5, a midnights shift, and his call sign was S31. Sergeant Lunger recalled the incident came out as a disturbance where an unwanted male charged into a female's room. The female reported the details to the clerk and the clerk is who was calling police.

Sergeant Lunger was at the Hayward Police Department reading reports when he heard Officer Flores request additional officers over the radio. Sergeant Lunger recalled Officer Flores explained how the unknown male would not exit the room and the male was yelling he would hurt police if they came in to get him.

Based on the information Officer Flores was broadcasting, Sergeant Lunger responded to the Phoenix Lodge.

When Sergeant Lunger arrived at the hotel, he saw there were three subjects detained in the hallway. Sergeant Lunger walked up to Officer Flores and asked what was going on. He recalled Officer Flores explained that one of the females said the unknown male knocked on the door, rushed into the room, and forced all three subjects detained in the hallway out. While Officer Flores had been at the hotel, he said the unknown male keeps yelling threats of violence toward police.

Next, Sergeant Lunger met with (W) [REDACTED] and asked her what happened. (W) [REDACTED] said the unknown male knocked on her door and attempted to come in. When she tried to stop (S) McKinney from entering the room, he forced his way in. (W) [REDACTED] told Sergeant Lunger she believed (S) McKinney was inside the room by himself.

Sergeant Lunger asked if anyone knew who the subject was and (W) [REDACTED] revealed he knew him from Santa Rita Jail and believed his name was, "Jeff."

(W) [REDACTED] (W) [REDACTED] and (W) [REDACTED] said they did not see (S) McKinney with any weapons. They told Sergeant Lunger that (S) McKinney was "spun" and acting like he was crazy or high on drugs. Sergeant Lunger said most of what (S) McKinney was yelling inside the hotel room was unrecognizable. He could hear banging inside the room.

Sergeant Lunger formed a reaction team with the officers at the hotel at that time, in case (S) McKinney exited the room. He believed it was Officers Flores, Mizuhara, Faria, Landreth, and himself in the reaction team.

Sergeant Lunger explained how he treated the incident like it was a home invasion and started preparing a plan accordingly. He asked Officer Landreth to go to the lobby and ask for a key to the hotel room.

After Officer Landreth made it back up to the staging location of the reaction team, Sergeant Lunger asked K-9 Officer Perryman to make K-9 announcements. Sergeant Lunger recalled (S) McKinney responded to the K-9 announcements with saying, "Show me your tits. I want to see your tits."

Sergeant Lunger explained how he assigned different officers in the arrest team to have different levels of force, lethal and less than lethal. Sergeant Lunger attempted to spray pepper spray under the door into the room, but it had no effect on (S) McKinney.

Officer Cannon broadcast that he was able to see (S) McKinney dancing around the room near the window, about 10 feet from the door. Sergeant Lunger believed with the information Officer Cannon was providing gave them an opportunity to contact (S) McKinney without a struggle.

Sergeant Lunger advised Officer Landreth to key the door and go in. The plan originally was to breach the door and hold it. After Officer Landreth opened the door, he struggled to push it open. Sergeant Lunger recognized there was furniture blocking the door. Realizing (S) McKinney barricaded the door, Sergeant Lunger attempted to call the reaction team back, but as he was going to call them back he heard a "pow." Sergeant Lunger was unsure if the "pow" was from a Taser or a gun until he smelled the gunpowder.

When Sergeant Lunger realized it was a gunshot, he told the other officers behind Officer Landreth to go inside the room. As the officers continued to push into the room, Sergeant Lunger heard, "pop, pop." Once Sergeant Lunger was able to make it into the room, he could see the suspect was down and his hands. Sergeant Lunger then recalled saying, "Enough, enough, enough."

Next, Sergeant Lunger tells the officers to place (S) McKinney in handcuffs. Once (S) McKinney was in handcuffs, Sergeant Lunger starts asking which officers fired their handguns. Officer Landreth and Officer Flores told him they were the two officers that fired their handguns. Sergeant Lunger had Sergeant Farro facilitate having Officer Landreth and Officer Flores taken back to the Hayward Police Department separately.

Sergeant Lunger asked other officers to grab a towel and apply pressure to (S) McKinney's wound, followed by asking Hayward PD Communications to send Hayward Fire up to the hotel room.

Sergeant Lunger described his decision process for going in when they did. He went through different options he was considering when (S) McKinney was spotted near the window. Sergeant Lunger viewed (S) McKinney's location near the window as an opportunity to quickly and safely detain (S) McKinney.

Sergeant Lunger told me the first time he actually saw the suspect was when he entered the hotel room after the four officers in front of him. He recalled (S) McKinney as being fully naked on the ground when he first spotted him.

Sergeant Lunger said the suspect was on his stomach and his arms were extended away from his body, above his head. When Sergeant Lunger saw the suspect's hands were clear, he ordered the officers to handcuff him. Sergeant Lunger explained how (S) McKinney was no longer moving, but he could see that he was breathing.

I went back and asked Sergeant Lunger about the different officers and their assignments. I asked if all officers in the "stack" or line knew what they were assigned to do. Sergeant Lunger confirmed all officers were assigned to be lethal or less than lethal and their order into the room.

I asked Sergeant Lunger to go back to his decision to enter the room. Sergeant Lunger agreed that he entered the room due to Officer Cannon's radio traffic, placing (S) McKinney at the window, away from the door. Sergeant Lunger believed entering the room when the suspect was near the window would allow them to enter the room without resistance.

Sergeant Lunger also explained how he observed Officer Landreth opening the door and quickly finding out (S) McKinney barricaded it. Sergeant Lunger tried to stop them from entering the barricaded door, but it was too late. Once they were in the doorway, Sergeant Lunger believed they were committed and pushed for the officers to enter the room.

I asked Sergeant Lunger his knowledge of the hotel they were at. Sergeant Lunger explained how he has been inside the hotel numerous times and is familiar with their layout.

Next, I asked if anyone else in the room had questions. Ms. Burdick asked Sergeant Lunger if he recalled any officers describing (S) McKinney making any threats against police. Sergeant Lunger recalled Officer Flores broadcasting over the radio that (S) McKinney told them, "If the police come in, I'll hurt them."

Ms. Burdick also confirmed with Sergeant Lunger that his decision to enter the room was built on exigency from the suspect entering the room and the opportunity (S) McKinney might be endangering someone else in the room or himself. It was also unknown if (S) McKinney had weapons inside the room or not.

Ms. Burdick had Sergeant Lunger explain how he immediately ordered officers to render aid to (S) McKinney and summon emergency medical services.

Next, I asked Sergeant Lunger if he was on the Special Response Unit (SRU). He said he is currently is on the SRU team and has been for 10 years. Sergeant Lunger said none of the officer on his reaction team the night of the incident are on the SRU team. Sergeant Lunger believed Officer Mizuhara had previous experience when he worked in San Jose, but he was not sure.

I concluded the interview at that time.

The interview was recorded on audio recording devices. A recording of the interview was sent out to be transcribed. [REDACTED]

Next, Detective Riley and I met with Officer Mizuhara. Officer Mizuhara asked that he have a Police Officers Association (POA) representative in the meeting and Officer James Javier sat in on the meeting with him. In addition to Officer Mizuhara, Officer

Javier, Detective Riley and I, Sergeant Ken Forkus and Lieutenant Roger Keener were also present during the interview.

The interview started on 7-7-14 at 1633 hours. After I had everyone inside the room introduce themselves, I asked Officer Mizuhara about his work experience. Officer Mizuhara said he was hired by Hayward PD in 2013 and had 17 years prior experience with San Jose PD. He also said he was a Reserve Officer at Berkeley PD.

Officer Mizuhara worked patrol and special assignments to include, Violent Crime Enforcement Team, Field Training Officer, and a Robbery Detective.

Officer Mizuhara was assigned to Team 5 midnight shift as H38, working for Sergeant Farro.

I asked Officer Mizuhara to recall the call for service that led to the officer involved shooting. He could not recall the actual call for service, but was able to remember that he was asked to assist. Officer Mizuhara recalled he was asked to assist officers at the Phoenix Lodge for a barricaded subject in a hotel room refusing to come out.

When Officer Mizuhara arrived at the Phoenix Lodge, he met up with Sergeant Lunger, Officer Flores, Officer Perryman, and Officer Landreth on the 3rd floor. Officer Mizuhara saw there were three subjects being detained in the far stairway. He recalls being told there was a subject in the room who forced his way inside and locked the door. Since the police arrived, he has been threatening violence against police.

Officer Mizuhara mentioned the suspect was barricaded earlier. I asked if he heard any information up to that point that indicated the subject inside the room was barricaded. Officer Mizuhara corrected himself and said he was only told the subject had locked the door. He believed the door may have been barricaded because of sounds they were hearing that sounded like someone was moving furniture around.

When Officer Mizuhara arrived, he said there was already a plan being put in place. Officer Mizuhara was tasked with having a less lethal cover option so he had his long baton out. As they waited outside the door, Officer Mizuhara said there were several commands made for the subject to come out by Officer Flores and Officer Landreth. In addition, there were several K-9 announcements made. The only response from the subject inside was belligerent and irrational statements.

Officer Mizuhara recalled (S) McKinney said, "Show me some titties," and "If I come out there, there is going to be trouble."

Officer Mizuhara said they were standing ready at the door for several minutes before a decision was made to go in. Officer Mizuhara believed he was supposed to enter

either 1st or 2nd. After the door gets keyed open, Officer Landreth, Officer Flores, and Officer Faria move into the room in front of him.

Officer Mizuhara said as he started into the room, he could see (S) McKinney rushing toward them from the far side of the room. Officer Mizuhara recalled hearing someone yelling, "Police," and "get down."

Officer Mizuhara loses sight of (S) McKinney because of the three officers in front of him blocking his view.

Officer Mizuhara then heard a sound he believed to be a Taser being fired. He did not think it was loud enough to be a gun being fired. Then next thing Officer Mizuhara recalls is hearing two more sounds like a Taser being fired.

Right after hearing the two additional "reports," Officer Mizuhara was able to push into the room further. At that point, he heard someone yell out, "Shots fired." He was able to finally see (S) McKinney lying on the ground. Officer Mizuhara worked with other officers to handcuff (S) McKinney.

Next, Officer Mizuhara was tasked with escorting Officer Flores.

Officer Mizuhara saw (S) McKinney on the hotel room floor. He said he did not recognize (S) McKinney and believed he had no prior contact with him.

Next, We took a quick break during the interview at 1652 hours. The interview resumed at 1703 hours.

When the interview started back up, I asked Officer Mizuhara to recall how wide the door was able to open when they moved into the room. Previously, Officer Mizuhara described the door opening a number of degrees, which was unclear for some. Officer Mizuhara finally guessed the door opened the width of Officer Faria's shoulders, maybe 36 inches.

Officer Mizuhara described the area he was able to see as he looked into the room. When he first looked into the hotel room, Officer Mizuhara believed he had about a 12 inch wide view of (S) McKinney rushing toward them.

Next, I asked Officer Mizuhara to go back to his understanding of the order they were to use when entering the room. Officer Mizuhara used the term, SOP (Standard Operating Procedure). I asked if the training and the way the Hayward Police Department operates was different than San Jose PD. Officer Mizuhara said the Hayward PD is vastly different than San Jose PD.

Officer Mizuhara was unaware if there was any additional people in the room beside (S) McKinney.

Next, I had Officer Mizuhara go back to when they entered the room. I asked him what he heard (S) McKinney say. Officer Mizuhara could only describe it as a loud growl.

When Officer Mizuhara moves into the room and finds the suspect on the ground, he could see (S) McKinney had blood on his back and there was blood on the ground. He was not able to see any gunshot wounds on (S) McKinney, but after hearing "shots fired" just prior to seeing him on the ground, believed he had just been shot.

Officer Mizuhara recalled hearing Sergeant Lunger or one of the other officers request emergency medical assistance.

I asked Officer Mizuhara about SOP again. I asked Officer Mizuhara if the SOP he was describing earlier was San Jose PD's SOP. He said it was. I asked Officer Mizuhara if Hayward PD's SOP is different. Officer Mizuhara was unsure and said he had not been trained any different since working at Hayward PD.

I asked Officer Mizuhara if he had any questions or anything important to add. Officer Mizuhara said he did not have anything to add.

I ended the interview at 1717 hours.

Officer Mizuhara's interview was recorded and copied to a CD. The interview was transcribed and attached to this report. [REDACTED]
[REDACTED]

Next, Detective Riley and I met with Officer Faria who was represented by Attorney, Sarah Burdick, who works with Rains, Lucia, and Stern. Lieutenant Roger Keener with the Office of Ethical Standards and Sergeant Forkus with the Criminal Investigations Bureau also sat in on the interview.

We started the interview on 07-07-14 at 1737 hours.

Officer Faria said he was hired with the Hayward Police Department on December 3, 2007. He said he worked for the Alameda County Sheriff's Office for 7 months prior to being hired by the Hayward Police Department.

Officer Faria is currently assigned to Team 5 midnights, working as J39, and Sergeant Lunger as his sergeant.

Next, I asked Officer Faria to recall the incident that took place. Officer Faria said he and Officer Landreth were first detailed to the Phoenix Lodge for the call for service. Officer Faria was in the report writing room catching up on paper when the call came out. Officer Flores told Officer Faria to keep writing and he would go to the call for him.

A couple of minutes later, he heard Officer Flores broadcast the male inside the room was not coming out and he needed the assistance of additional officers. Officer Faria responded to the Phoenix Lodge at the same time as Sergeant Lunger.

When they arrived at the hotel, they learned the unknown male had a confrontation with the subjects inside the room and he forced himself inside and would not come out.

Next, Sergeant Lunger worked with Officer Faria and the other officers on a reaction team. After a plan was in place, they used the K-9 officer to give commands for (S) McKinney to come out. The only response Officer Faria could make out was (S) McKinney kept asking to see "Boobs."

Officer Faria recalled the plan and all of their assigned jobs. He recalled Officer Mizuhara was assigned to have his stick, Officer Flores was supposed to have lethal cover, and Officer Faria was going to be armed with a Taser.

While they continued attempts to negotiate with (S) McKinney to exit the room, Officer Faria remembered Sergeant Lunger used pepper spray. He said he sprayed it under the bottom of the door, but did not believe it had any effect.

At one point they tried opening the door, but the key Officer Landreth had would not work. Officer Landreth left to get a master key. Officer Faria recalled Officer Flores telling him to go to lethal cover and he was going to go hands on. Just then, Officer Cannon broadcast (S) McKinney was near the window of the room and they were given the order to "Go."

Officer Faria said they pushed into the room, but had difficulty because something was blocking there way. As Officer Faria entered the threshold of the door, he heard a "pop," and believed it was a Taser. Officer Faria made an announcement, saying, "Taser, Taser." Sergeant Lunger corrected him and said it was a gunshot and to continue into the room.

Once Officer Faria was able to push into the room far enough to see (S) McKinney, he was on the ground. Officer Faria dropped to a knee and had (S) McKinney in his view. Officer Faria was unsure what had just happened since his view was blocked by Officer Landreth and Officer Flores. Officer Faria said he could see there was nothing in (S) McKinney's hands when he finally had a view of his body.

Sergeant Lunger gave an order for them to handcuff (S) McKinney. Officer Faria holstered his handgun and assisted in handcuffing (S) McKinney.

Sergeant Lunger asked who fired their guns and Officer Faria said Officer Flores and Officer Landreth answered back saying they had fired their hand guns. Officer Faria said the two officers were escorted out of the room while he asked someone to get him

some towels. Officer Cannon gave Officer Faria a black t-shirt and a towel from the floor. Officer Faria used the t-shirt and towel to apply pressure to (S) McKinney's wounds until Hayward Fire arrived.

Officer Faria went back to tell me what information was provided to them before they entered the room. The three subjects that were in the room previously only said (S) McKinney was never given permission to come into the room and forced them out of the room. The male subject was the only person that knew who (S) McKinney was. He said (S) McKinney was an old cellmate of his from Santa Rita and only knew him as "Jeff."

Before they were given an order to go into the room, Officer Faria said there were several commands given to (S) McKinney. In addition to the general commands of announcing they were the "Hayward PD" and orders to "come out," there were K-9 announcements, too.

After the K-9 announcements, (S) McKinney said he was not coming out and that he wanted to see some "tits" or "boobs."

When Officer Faria said they were given the order to enter the room, he followed Officer Landreth and Officer Flores. Once Officer Faria entered the doorway, he was not able to see the suspect because a table and Officer Flores were in his way.

As Officer Faria was entering the doorway, he heard a "pop." Next, he heard "Go, go, go, go, go." Then Officer Faria heard Officer Landreth say, "He grabbed my gun."

Officer Faria described the lighting in the hallway and in room #179 as good or adequate.

Officer Faria described his experience with the Phoenix Lodge. Officer Faria said the Phoenix Lodge is a hotel frequented by criminals and has been called there frequently for prostitution, drugs, and the criminal element that stays there.

Officer Faria said he finally was able to see (S) McKinney when he handcuffed him and rendered aid. Officer Faria did not recognize (S) McKinney and did not think he had any prior contact with him. Officer Faria did not believe he had any prior contact with the three subjects detained that exited #179. He did see the three subjects and based on his experience thought they were under the influence of alcohol and/or drugs.

Next, we took a break at 1801 hours. The interview resumed at 1809 hours.

I asked Officer Faria to recall the amount of sleep he had the night prior to the incident. Officer Faria said he typically gets between 5-6 hours of sleep between shifts. He believed that was about how much sleep he got the night before the incident.

Officer Faria recalled how they entered to room. To his knowledge, Officer Landreth was going to put the key in the door and open it and let the rest of the officers push into the room.

Officer Faria said he gave general commands leading up to them entering the room. He recalled saying, "Just come on out," and "Put your hands up." Officer Faria recalled hearing (S) McKinney scream a lot, but most of it he could not understand.

Officer Faria said he was about 6 inches into the room when he heard the first gunshot. Following the first gunshot, he heard a lot of screaming and shouting. Officer Faria heard both Officer Landreth and Officer Flores shouting, but could not recall what they were saying. He believed there was about 5 seconds between the first shot and the second two shots. Officer Faria said he heard the first gunshot, 5 seconds elapsed, then two more consecutive shots were heard.

Ms. Burdick had questions for Officer Faria at that point. Ms. Burdick asked Officer Faria to recall the noise the suspect made as they entered the room. Ms. Burdick recalled Officer Faria could not make out any words, but asked what (S) McKinney's tone was. Officer Faria recalled (S) McKinney as yelling in an agitated tone.

Ms. Burdick asked Officer Faria if he heard anything the suspect said beside when he talked about boobs. Officer Faria said (S) McKinney rambled the whole time they were negotiating with him, but he could not make out most of it.

Ms. Burdick reminded Officer Faria about Officer Flores radio traffic asking for additional officers. Officer Faria recalled hearing (S) McKinney said, "if police came into the room, we're going to have to take care of business."

I asked Officer Faria if he has dealt with subjects in this same situation before. Officer Faria said he has been in similar situations. Based on his experience, Officer Faria said situations like this one have typically involved a subject that is under the influence of drugs. Officer Faria said some of the symptoms and actions can also be linked to subjects with mental health issues.

I ended the interview at 1818 hours. The interview was recorded and placed onto a CD. The interview was transcribed and attached to this report. [REDACTED]

Next, Detective Riley and I met with Officer Ricardo Flores and his Attorney, Ms. Sarah Burdick. Also sitting in on the interview was Deputy District Attorney Kevin Wong and Inspector Andrea Moreland with the Alameda County District Attorney's Office, Lieutenant Roger Keener with the Office of Ethical Standards, Officer James Javier with the H.P.O.A., and Sergeant Forkus with the Criminal Investigations Bureau.

I started the interview with admonishing Officer Flores with his rights. Following the admonishment, Officer Flores said he would like to voluntarily proceed with the interview.

After I finished my admonishment, DDA Kevin Wong read off an admonishment acknowledging a member of the Hayward PD Internal Affairs unit was present during the interview. His admonishment advised that any questioning for or by the Internal Affairs unit would occur after the criminal investigation interview.

I moved into asking questions about Officer Flores' history. Officer Flores said he was hired by the Hayward Police Department in 2012. Prior to the Hayward PD, Officer Flores worked for the Oakland Police Department Housing Authority. While at the Oakland Housing Authority, he was part of the entry team for the Narcotics Unit.

On the night of the incident, Officer Flores was assigned to Team 5 Midnight shift as C33. This is his normally assigned shift and supervised by Sergeant Lunger.

Officer Flores said he did not work any extra shifts or overtime prior to the shift the night of the incident. He also said he did not take any prescribed medications or consume any alcohol for the 24 hours prior to the shift the night of the incident. Officer Flores said he believes he slept about 6 hours prior to his shift, which is his normal amount of sleep between shifts.

Officer Flores said he did receive some minor injuries as a result of the incident. He had minor bruising and abrasions to both of his shins, his right knee was swollen, a cut or abrasion to his right thumb, bruising to his right forearm. Officer Flores added that he has ringing in his left ear that has been present since the incident and has not gone away.

Officer Flores said he only wears glasses for reading.

Officer Flores was wearing the Class B or PDU uniform the night of the incident and said it was the same uniform he was photographed in after the incident.

I asked Officer Flores to document what items he carries on his duty belt and where those items are located on the belt.

He said he carries his duty weapon on his right side. On the left side, he carries his Taser just left of the belt buckle, followed by his handcuff case, and then his flashlight. Officer Flores remembered that he carries his OC spray and ASP baton right behind his hand gun. He said his hand gun is fitted with a tactical light and has a holster that accommodates the flashlight.

Officer Flores said his duty weapon was loaded with 12 in the magazine and one in the chamber.

I asked Officer Flores if he carries any additional weapons or items in his pockets separate from his duty belt. Officer Flores said he carries a knife in his left pants pocket. He also said he carries a Yawara stick in his right rear pants pocket. Officer Flores does not carry a back-up firearm.

Officer Flores said the holster that holds his flashlight had been completely snapped off of the belt and it was unable to be repaired afterwards.

Officer Flores confirmed that he is right handed. Officer Flores completed handgun qualification in January of 2014.

Officer Flores was driving vehicle #290 the night of the incident, which is a fully-marked Dodge Charger police vehicle. He is normally assigned vehicle #299, but was currently being serviced in the shop.

Next, I asked Officer Flores to recall the incident and try to describe what he could remember from start to finish.

Officer Flores described how he was detailed to the Phoenix North for an ascertain the disturbance between a male and female. A male reportedly broke into the female's room and was taking items. When Officer Flores arrived, Officer Landreth was already parked in the parking lot waiting for him. They walked up to the clerk who reported the listed room was on the third floor. As they made their way up the stairs, they were contacted by the female that reported the unwanted male.

The original call was placed to the Hayward PD Communications center by the Phoenix Lodge clerk, who reported the reporting party was carrying a knife. Officer Flores asked about the knife and the female gave them her knife. For officer safety purposes, Officer Flores and Officer Landreth handcuffed the female until they could sort out the call.

When they reach the third floor, Officer Flores said he saw a black male appear to be thrown out of a room in the middle of the hallway. As he continued to watch, a black female came out of the room shortly after. At that point, they still did not know what was going on so they handcuffed the black male and black female.

Officer Flores and Officer Landreth questioned the three subjects they had detained. They told them there was a black male still in the room that forced his way inside and acting crazy inside the room. The three subjects were unsure if there were any other persons or weapons inside the room.

The black male they had detained, (W) [REDACTED] said he knew the male from being cellmates at Santa Rita Jail.

Next, Officer Flores said he and Officer Landreth went over to the door to room #179 and knocked on the door and made announcements, notifying the person/s inside they were police officers with the Hayward Police Department. After the announcements, he could hear loud banging from inside the room, followed by loud screams. The male followed the screams with yelling, "Fuck you," and "Come in and get some."

Officer Flores notified Hayward PD Communications of the developments and requested additional officers for assistance. Shortly after, Officer Flores recalled Sergeant Lunger, Officer Hoyer, Officer Faria, K-9 Officer Perryman, and Officer Mizuhara arrived.

After Sergeant Lunger tried to get additional information out of the three detained subjects, he formed a reaction team if the subject were to exit the room.

Next, Sergeant Lunger asked K-9 Officer Perryman to make K-9 announcements in hopes of getting the subject to exit the room. Officer Flores recalled the subject inside the room reply with, "Fuck you," and , "I'll kill the fucking dog," and "Come and get some." (S) McKinney continue to let out screams.

As K-9 Officer Perryman continued with additional K-9 announcements, (S) McKinney replied with, "I'll come , Show me some titties. Show me some titties and I'll come out."

Officer Flores said they continued to negotiate with (S) McKinney to try and get him to come out of the room, but he kept talking about titties.

Officer Flores recalled Sergeant Lunger deployed OC spray under the doorway to the room, but he did not notice it having any effect.

Next, Officer Flores described Sergeant Lunger preparing officers for possibly making entry into the room by assigning an order and assigning different levels of force amongst the officers. After they prepared to enter the room, they tried to open the door with a key the clerk provided, but it did not work.

Officer Flores explained how he was assigned to key the door, Officer Landreth was going in first, he was going to follow Officer Landreth, Officer Faria was going to fall in behind him and then Officer Mizuhara.

Next, Officer Cannon saw the subject near the window of the hotel room and Sergeant Lunger gave the order to enter the room.

I had a diagram of room #179 that was produced by CST Marquez. I placed the diagram in front of Officer Flores to assist him in describing where everyone was inside the room.

Officer Flores said he placed the key card in the door and the light on the handle turned green. Officer Landreth pushed the door open, but it would not open very far. The door started to close on them when Officer Landreth stepped into the doorway and pushed the door open further. Officer Flores followed Officer Landreth in the doorway as he pushed the door open to about half-way open. He believed he was within arm's reach of Officer Landreth as he entered the door.

Officer Flores recalled being able to look over Officer Landreth's shoulder to see a black male subject running in a full sprint in their direction. Officer Flores saw (S) McKinney lunging toward Officer Landreth when he heard a gunshot go off.

Officer Flores pushes Officer Landreth to the side and stepped off to the right to push into the room. He said he did not know what was going on. He did not know how many people were inside the room and if they were being shot at or not. Once Officer Flores pushes into the room and gets a clear view of (S) McKinney, he saw (S) McKinney coming at him. Officer Flores described (S) McKinney crouching down with his arms reaching out toward him, followed by lunging toward him. As (S) McKinney reached for him, Officer Flores used his left arm to block his hands and responded by firing two rounds at (S) McKinney.

After firing the two rounds, Officer Flores recalled (S) McKinney fall to the ground saying, "Fuck, Fuck." Next to (S) McKinney were two metal rods from a luggage stand. Officer Flores yelled commands for (S) McKinney to, "Stop reaching, stop reaching."

Officer Flores made sure the room was clear as other officers moved into the room to handcuff (S) McKinney.

Officer Flores described how he felt during the incident. Officer Flores said he was scared when the subject came at him, fearing he was going to try and kill him and take his gun. Officer Flores first saw (S) McKinney come after Officer Landreth.

Officer Flores explained how Sergeant Lunger asked which officers shot their firearms. Sergeant Lunger had Officer Mizuhara escort Officer Flores back to the Hayward PD.

Next, I asked Officer Flores if he was able to see (S) McKinney once he was handcuffed. Officer Flores said he was able to look at (S) McKinney. He said he did not recognize (S) McKinney and did not have any prior contacts with him.

Officer Flores recalled room #179 only being lit by a lamp. He described the lighting as adequate.

Officer Flores said he has been called to the Phoenix Lodge several times. Officer Flores said his experience with the hotel usually involves subjects that are transients and heavy drug users. He also recalled contacting parolees at the hotel frequently. Officer Flores explained how all of that prior experience at the hotel goes through his mind as he responded to the call.

Officer Flores described (S) McKinney as being very agitated based on hearing him yelling and screaming inside the room, challenging police to enter the room. Officer Flores believed the behavior (S) McKinney was displaying was due to him being high.

Officer Flores recalled additional officers in the third floor hallway beyond Sergeant Lunger and the four officers in the stack. Officer Flores recalled K-9 Officer Perryman, Officer McKee, and Officer Hoyer being in the hallway. Officer Flores recalled the series of repeated commands given by him and his fellow officers. Officer Flores could not recall any direct responses by the subject, referring to them as police. He believed that any normal person should now they were the police based on the repeated commands and they were all in police uniforms.

I asked Officer Flores to recall when they entered the room and (S) McKinney started charging toward them. Officer Flores said he did not remember seeing any weapons in (S) McKinney's hands as he came toward them. He said they gave commands for (S) McKinney to, "Get on the ground," repeatedly.

Officer Flores said he immediately transitioned to his firearm when he heard the first shot be fired.

I had Officer Flores return to the diagram and indicate where he was when all three shots were fired. He pointed out that he was just inside the doorway to the room when he heard the first gunshot. Officer Flores was unclear on what direction the gunshot came from.

Officer Flores pushed through and stepped to the right to get a better angle to see (S) McKinney. Once Officer Flores was able to step right, he saw (S) McKinney lunging toward him with his arms extended toward him.

Officer Flores recalled discharging his duty firearm two times. He said (S) McKinney was at about arms reach when he fired the two gunshots. Officer Flores said he had to fire his handgun from "retention."

Officer Flores said the wall of the hotel room was his backdrop when firing his handgun.

I asked Officer Flores if he considered any other use of force when he transitioned from his Taser to his hand gun. He said he had no other force options at that point. He

recalled being scared for his life. Further, he described how there were shots going off and he needed to be able to protect his life and his partner's life.

I asked Officer Flores to describe what he was thinking when he fired the gunshots. He said he was scared, feeling the guy was trying to kill him. He explained how (S) McKinney had already reached for Officer Landreth's gun and he felt he was trying to take his gun now. Officer Flores believed (S) McKinney was trying to take his and Officer Landreth's guns to shoot and kill them.

Officer Flores thought he was going to die. (S) McKinney was reaching for his gun in close quarters and gun shots had already been fired. (S) McKinney ran at them so fast and failed to comply with any commands. Officer Flores believed when (S) McKinney reached for his gun, he was scared he was going to take his gun.

Next, I stopped the interview for a break at 1947 hours. I restarted the interview at 2004 hours.

I started back into the interview, clarifying some questions I asked earlier. Officer Flores told me that his duty weapon is a Sig Sauer 40 caliber. The handgun was issued to him by the Hayward PD.

I asked Officer Flores to go back to when he described showing up to the third floor of the Phoenix Hotel, witnessing the subjects exiting the room.

Officer Flores said he saw a black male, (W) [REDACTED] come out of the room falling forward and he could tell he had been pushed out. A black female walked out after him. After the female exited, the door was slammed, leading him to believe there was someone else in the room.

Officer Flores said the black male that exited the room indicated another black male he knew as "Jeffrey" was inside. He knew "Jeffrey" from Santa Rita Jail when they were incarcerated together.

I asked Officer Flores to recall the noises he was hearing when he and Officer Landreth first arrived at room #179. Officer Flores said he heard (S) McKinney screaming, "Fuck," and "Fuck you." Also he heard loud banging noises like something heavy was hitting the walls in different places from inside the room. He described it as sounding like a loud struggle inside the room.

Officer Flores said he felt he had to call for additional officers for officer safety purposes. He realized they had three subjects detained and an unknown number of people inside room #179 that were not complying with their initial commands.

When requesting additional officers, Officer Flores could not quantify how many additional officers that would have been sufficient. He felt you can never have too many officers, so he could not provide a number of officers that would make the scene safe.

I asked Officer Flores to recall where (S) McKinney was at in the room when he first saw him. Officer Flores indicated (S) McKinney was in a full sprint in their direction when he saw him and he was nearly halfway across the room. Flores said he recalled (S) McKinney not having any clothing on. Officer Flores believed (S) McKinney was approximately 5-10 feet away from them at that point.

I had Officer Flores describe what he had earlier described as the funnel of death. Officer Flores corrected himself and called it the fatal funnel and explained how it was a term used in police training. The fatal funnel describes the doorway into a room and how it is the most dangerous area for officers when completing entries into rooms.

Officer Flores said when he first spotted (S) McKinney sprinting at them, he described him as running toward them aggressively and with a purpose. I asked Officer Flores if (S) McKinney actually touched him. He said (S) McKinney grabbed his left arm and that was when he stepped to the right to avoid him. Officer Flores described having his handgun at retention while attempting to fight off (S) McKinney. I asked him to describe what he meant by retention.

Officer Flores described retention as something he was trained to do. He said it entailed holding his firearm close to his body in an effort to provide more distance between the gun and the suspect. It is a tactic used to retain your weapon from being taken.

Officer Flores entered the room behind Officer Landreth. When (S) McKinney ran toward them and reached Officer Landreth, Officer Flores could not see either Officer Landreth's hands or (S) McKinney's hands. Officer Flores noticed Officer Landreth tense up and heard a gunshot. Officer Flores was unable to see if Officer Landreth fired his firearm.

It was when Officer Flores stepped to the side when he was able to get a view of (S) McKinney. At that point, (S) McKinney was in a "football stance" and lunged toward Officer Flores. He believed (S) McKinney was about 3 ½ feet away when he lunged toward him.

Officer Flores was unable to see if Officer Landreth had a gun in his hand. Officer Flores said he could not see anything in (S) McKinney's hands at that time.

I asked Officer Flores if he saw (S) McKinney touch Officer Landreth's gun. Officer Flores said he saw the suspect go directly towards Officer Landreth's gun. Officer Flores said (S) McKinney made contact with Officer Landreth's gun and that was when

Officer Landreth tensed up. Officer Flores could not recall hearing Officer Landreth say anything about the suspect grabbing his gun.

Officer Flores described his injuries from the incident and attempt to recall what caused the injuries. Officer Flores could not be sure what caused his injuries, but knew they occurred during the entry into the room up until (S) McKinney was handcuffed. He said all of his injuries were documented with photographs.

Officer Flores said after the incident was over, he checked his knife that is kept on the left side of his pants. The knife was partially opened and unsure how it had been opened. He also noted his flashlight holster had ripped away from his duty belt. He said these items were on the side of his body the suspect made contact with.

The interview was ended at 2033 hours. The interview was audio recorded and copied onto a CD. The interview was transcribed and attached to this report. [REDACTED]
[REDACTED]

Next, Detective Riley and I met with Officer Landreth and his attorney, Ms. Sarah Burdick, with Rains, Lucia, and Stern. Also sitting in on the interview was Deputy District Attorney Kevin Wong and Inspector Andrea Moreland with the Alameda County District Attorney's Office, Lieutenant Roger Keener with the Office of Ethical Standards and Sergeant Forkus with the Criminal Investigations Bureau.

I started the interview with admonishing Officer Landreth with his rights. Following the admonishment, Officer Landreth said he would like to voluntarily proceed with the interview.

After I finished my admonishment, DDA Kevin Wong read off an admonishment acknowledging a member of the Hayward PD Internal Affairs unit was present during the interview. His admonishment advised that any questioning for or by the Internal Affairs unit would occur after the criminal investigation interview.

Next, I asked that everyone inside the Reserve Trailer conference room to introduce themselves.

I moved on to ask Officer Landreth a series of question about his work history. Officer Landreth said he was hired by the Hayward Police Department on February 3, 2003. Prior to being hired as a police officer, Officer Landreth was a Reserve Officer, starting in 1998. During Officer Landreth's time at the Hayward PD he has been a Firearms Instructor, K-9 Officer, Crime Scene Technician, and an EVOC Instructor.

Officer Landreth said he was assigned to be Z72, on overtime. Officer Landreth recalled Sergeant Lunger and Sergeant Farro as being the shift supervisors that night. Officer Landreth explained he is normally assigned to Team 7.

Officer Landreth said he got a normal amount of sleep between shifts. A normal amount of sleep for Officer Landreth is 7-9 hours.

[REDACTED]

Officer Landreth said he did not consume any alcoholic beverages during the 24 hours prior to the incident.

Officer Landreth did not have any injuries as a result of the incident. He does not wear glasses. He was wearing a PDU, which is a police uniform with a vest carrier that is worn over the top of the uniform shirt.

Next, I asked Officer Landreth to describe the items on his duty belt and their positions on his belt. Starting at his buckle going clockwise, he said he had three magazine holders, key keeper, and holster. On the left side, a baton holder, Taser, key keeper, and Puma recorder case.

Officer Landreth said he carries a Sig Sauer P226 40 Caliber handgun. He confirmed it was loaded the night of the incident with one in the chamber and 12 in the magazine. There were 12 in each magazine on his duty belt. His duty weapon is fitted with a tactical flashlight and has a holster that accommodates the flashlight.

Officer Landreth described his vest carrier has spots where he carries handcuffs, baton, pepper spray, police radio, and flashlight. In addition, he had a knife in his left pants pocket and a knife in his vest carrier.

Officer Landreth said he did not have any of his equipment damaged during the incident.

Officer Landreth confirmed he was right-handed and qualified in Firearms Training in December of 2013, since he is a Firearms Instructor.

Officer Landreth was driving vehicle #303, a fully-marked Dodge Charger police vehicle. It is a black and white vehicle with the City of Hayward emblem on the front doors.

Next, I asked Officer Landreth to describe the entire incident from beginning to the point (S) McKinney was placed into handcuffs.

Officer Landreth recalled being dispatched to a call at the Phoenix North on A Street. A clerk at the hotel was calling for a female guest from room #179 stating there was an unwanted male inside her room. When Officer Landreth arrived, he spoke with the clerk who was not able to provide any additional information. The clerk said the female guest left and went back to her room.

When Officer Flores arrived, Officer Landreth walked up to the third floor with him. As they reached the third floor, they were met by the female guest from room #179. The original call reported the female had a pocket knife. For officer safety, Officer Landreth asked her for her knife. The female passed a pocket knife to Officer Landreth.

Next, Officer Landreth observed a male and female walking in their direction, coming from room #179. Another black male with no shirt on was leaning out of the room. When the shirtless male spotted Officer Landreth, went back into the room and slammed the door.

Officer Landreth said he and Officer Flores detained the male and female that exited the room. They attempted to collect information from all three subjects. (W) [REDACTED] the black male that exited the room, was the only person that knew anything about the unwanted male subject inside room #179. (W) [REDACTED] knew the male from when they were previously incarcerated at Santa Rita Jail and believed his name started with a "J."

Officer Landreth said he started hearing (S) McKinney inside room #179 saying things with a loud voice that were illegible. He could also hear clunking noises coming from the room.

Officer Landreth started his digital audio recorder and began giving announcements. He said the announcement included they were the police and (S) McKinney was to come out of the room. Officer Landreth believed (S) McKinney was already aware they were the police since he saw them before going back into the room and slamming the door.

After making several commands for (S) McKinney to exit room #179 and no progress, Officer Flores requested additional officers to respond. As they were trying to give commands through the door, Officer Landreth could hear noises that led him to believe (S) McKinney was pushing things against the door to barricade himself.

Next, they had no keys to the door, so Officer Landreth went down to the clerk to obtain a couple of keys. When he returned to the room, Sergeant Lunger was there. They used the room keys to try and open the door, but none of them worked.

Beyond the other announcements made by Officer Flores and Officer Landreth, he said K-9 Officer Perryman arrived and made K-9 announcements and had her dog bark. (S) McKinney responded by saying, "Show me some titties."

Someone else finally went down and grabbed a master key to the room from the clerk.

Officer Landreth believed Officer Mizuhara may have keyed the door. Once the door opened, he pushed into the room from a lowered position with his duty weapon close to his chest. Officer Landreth rode the door into the room, pushing items blocking it into the room.

Officer Landreth recalled the room being darker than the hallway. As he rode the door open, the door opened to his left.

Officer Landreth backed up and recalled the timing of when they made entry into the room. Officer Landreth said the timing was based on Officer Cannon broadcasting on the radio that he saw (S) McKinney at the window of the room. They entered the room at that point thinking the (S) McKinney standing at the window would give them time to enter the room and contact him with minimal confrontation.

During the time Officer Landreth pushes his way into the room, (S) McKinney was able to run over from the window and lunge toward Officer Landreth with his right arm extended toward his handgun. Officer Landreth reacted to (S) McKinney reaching for his gun with firing his duty weapon. Officer Landreth believed he hit (S) McKinney in his left shoulder.

While Officer Landreth kept a visual on (S) McKinney, he continue to clear the furniture obstructing the door from opening. He ended up getting forced into the open closet area to the right of the doorway. Officer Flores pushed by him and he heard a weapon being discharged.

Officer Landreth holsters his firearm and recognizes (S) McKinney on the floor. Officer Landreth moves over to assist in handcuffing the suspect.

Officer Landreth recalled entering the room. He said he had never felt in his career the certainty he felt that night that (S) McKinney was trying to take his gun and was taking his gun to hurt or kill him or his fellow officers. Officer Landreth really thought he could possibly die. He was also extremely scared (S) McKinney would use his duty weapon to shoot Officer Landreth's partners.

Once they had (S) McKinney handcuffed, he said he was escorted out of the room.

As I continued to question Officer Landreth about lighting, he recalled something about his tactical flashlight on his handgun. The flashlight was in the "on" position, but the batteries were dead. Thinking back to the incident, Officer Landreth recalled seeing a circular light area on (S) McKinney's torso. Looking back, Officer Landreth believes the light he saw on the torso of (S) McKinney was from his tactical flashlight.

I asked Officer Landreth to describe (S) McKinney. After describing (S) McKinney, Officer Landreth said he did not recognize him and did not believe he had any prior contacts with him.

Officer Landreth described his knowledge of the Phoenix Lodge from being sent there routinely throughout his career at the Hayward Police Department. Officer Landreth

described the hotel as a parolee motel, since many of the guests are often on probation/parole and involved in prostitution and drugs.

On the night of the incident, Officer Landreth explained how they were given very little information about (S) McKinney and his actions and possible weapons. Officer Landreth explained that from his experience at the Phoenix Lodge, he has come across persons with weapons and improvised weapons regularly. When they prepared to enter the room, they were prepared for the occupant or occupants to be armed. When Officer Landreth described riding the door open, he did not see any weapons in (S) McKinney's hands, but due to his actions, feared (S) McKinney was going to take his handgun to harm him or his fellow officers.

Next, I placed a diagram of the room produced by CST Marquez in front of Officer Landreth. I asked Officer Landreth to place marks on the diagram to indicate where people were at when he was describing what occurred.

Officer Landreth could not recall hearing (S) McKinney say anything that he was able to make out. He could only hear him yelling and screaming and moving and banging things around the room. Since (S) McKinney had not complied with any of their commands to exit the room so far and his apparent resistance, he did not feel he was going to be cooperative.

Officer Landreth continue to explain (S) McKinney's actions, saying he had never seen anyone confront him in his career the way (S) McKinney did. He described how (S) McKinney ran across the room in no time at all and lunged, reaching for his gun, with no signs of surrender.

Once Officer Landreth fired his handgun, the suspect moved backward a little bit toward the bed. Officer Landreth tried to move a chair blocking his way into the room. As Officer Landreth moved the chair to the right, he was pushed to the right into the open closet area. Officer Flores pushed passed Officer Landreth, Officer Landreth heard a firearm being fired. He could see Officer Flores back, but was unable to see the suspect or Officer Flores' hands.

After hearing the two additional gunshots, Officer Landreth recalled (S) McKinney being on the ground and he assisted in handcuffing him. After (S) McKinney was handcuffed, Officer Landreth heard someone requesting for medical assistance.

Following that, Sergeant Lunger and Sergeant Farro entered the room and Sergeant Farro escorted Officer Landreth out.

Officer Landreth mentioned the fatal funnel when entering the room, so I asked him to describe what he meant. Officer Landreth explained how he has been trained the

doorway is called the fatal funnel when making entry into a room. While in the doorway to a room, an officer is at a disadvantage if a subject is armed with a weapon. Officer Landreth's training has taught him to push into the room, clearing any threats. In this case, the threat, (S) McKinney charged him and closed the distance, not allowing Officer Landreth to proceed into the room.

Officer Landreth was unable to see beyond (S) McKinney who was advancing toward him and a large piece of furniture that was in his way. (S) McKinney and the piece of furniture were the only things he could see in the room at the time he fired his handgun.

I asked Officer Landreth if there were any other uses of force he was considering at the time he fired his handgun. Officer Landreth said, "absolutely not." Officer Landreth explained that once he was inside the room with his gun drawn and (S) McKinney was lunging for his handgun, there were no other appropriate uses of force he would consider.

I asked Officer Landreth if he had been assigned a less lethal force option prior to entering the room, if that force would have been appropriate. Officer Landreth said there would not have been time to deploy a less lethal force on (S) McKinney since he closed the distance to Officer Landreth too quickly.

Since Officer Landreth used to be a K-9 Officer, he also explained how using the K-9 would not have been an option.

Next, I called for a break at 2152 hours. I started the interview back up at 2201 hours

I started the second half of the interview asking Officer Landreth about his Puma recording. Officer Landreth recalled starting his Puma recorder just before they requested additional officers to the call. He could not recall if or when he stopped the recorder. Officer Landreth said he had already handed the recording over for the investigation.

I had Officer Landreth describe how the flashlight on his handgun works. Officer Landreth said he could not remember turning the flashlight on the night of the incident. Officer Landreth also added that he did not think he would turn his flashlight to a full on position, based on his training.

Officer Landreth could not recall if (S) McKinney made physical contact with his handgun or flashlight, but said it would be fairly easy for the light to be turned on from a glancing blow.

Officer Landreth explained the last thing he recalled before firing his handgun was (S) McKinney reaching for his gun. He could not recall (S) McKinney grabbing his gun, but due to the flashlight being in an on position, he felt it was a possible. Officer Landreth

did not feel (S) McKinney make contact with his gun, but due to all of the commotion and bumping into furniture, he could not rule it out.

I asked Officer Landreth if (S) McKinney made any contact with any part of his body. Officer Landreth said part of the door and a large piece of furniture were blocking his body from (S) McKinney. At the time Officer Landreth fired his handgun, only his hands and gun were exposed to (S) McKinney.

As Officer Landreth entered the room, he could not recall (S) McKinney saying anything or making any noises. Officer Landreth was unable to give an exact distance (S) McKinney was away from him when he fired his gun. Officer Landreth explained how (S) McKinney was running at him with his arm/s extended toward him.

Officer Landreth was not able to describe (S) McKinney's face, because he was so focused on his hands and never looked at his face.

Officer Landreth described (S) McKinney coming at him with two hands, with his right hand higher than his left hand. Officer Landreth explained how he pushed the door open with the left side of his body, while holding his gun in his right hand near his chest for retention.

Officer Landreth recalled there being about 15-20 minutes between the time they arrived at room #179 and the time they entered the room. When they entered the room, Officer Landreth said he put all of his energy into opening the door and overcoming the resistance of the furniture being in the way. When the furniture stopped moving and prevented the door from continuing to open, Officer Landreth said he was caught off guard to see (S) McKinney in front of him, reaching for his gun. Officer Landreth the surprise was from the door and furniture coming to an abrupt stop at the same time as (S) McKinney being in his face.

Officer Landreth explained how he has a reoccurring picture in his mind of his gunshot striking (S) McKinney on the left side of his chest.

Officer Landreth described how he entered the room again. When the door he was pushing finally came to an abrupt stop, there was furniture in his way. When (S) McKinney lunged toward Officer Landreth with his arms extended toward his firearm, Officer Landreth felt he had no other choice but to fire his handgun. With one or both hands on his handgun, Officer Landreth felt he had no way to defend himself against (S) McKinney's efforts to grab his firearm.

Officer Landreth described how he stepped to the right after firing his handgun to clear furniture. He watched as Officer Flores pushed by him on the left side and into the room. Officer Landreth saw Officer Flores with his handgun drawn in a "low-ready"

position. After Officer Flores moved further in the room, Officer Landreth lost sight of the front half of his body. Officer Landreth recalled hearing a handgun being fired two times. Officer Landreth holstered his firearm, figuring someone would have to go “hands-on” with the suspect.

Ms. Burdick asked Officer Landreth to recall if any of the three subjects they questioned from the room were able to say if there were weapons or additional persons inside room #179. Officer Landreth said the subjects were unclear if there were additional subjects with (S) McKinney and if there were weapons inside the room.

Next, I confirmed no one else had any additional questions before ending the interview at 2227 hours.

On 07-08-14 at approximately 0930 hours, Detective Mulhern and Detective Bugarin attended (S) McKinney’s autopsy at the Alameda County Coroner’s Office. [REDACTED] [REDACTED] was the pathologist completing the autopsy and determined (S) McKinney had four gunshot wounds, three entrance and one exit wound.

One entrance wound was located under (S) McKinney’s right armpit. [REDACTED] [REDACTED] found the wound under (S) McKinney’s right armpit was consistent with (S) McKinney elevating his arm reaching forward with his right hand at the time of being shot.

See Detective Mulhern’s supplement report for further.

Based on the above information found during this investigation, it is my finding that Officer Landreth and Officer Flores were forced to exercise their authority. (S) McKinney posed an immediate threat to the two Hayward PD Officers, the surrounding residents, and himself. (S) McKinney posed an imminent threat of death or serious bodily injury when he reached for Officer Landreth’s and Officer Flores’ handguns. Therefore, Officer Landreth and Officer Flores were forced to use deadly force to stop the threat (S) McKinney imposed, in the performance of their duty.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

WITNESS ATTEMPTS:

Officer Harden and Officer H. Linteo both made contact with the occupants of the neighboring rooms to obtain witness attempts. All subjects stated they heard the argument between a male and female in #179. Following the argument, the police showed up and commanded the male to exit the room, followed by a series of three gunshots. None of the witnesses said they saw anything during the incident.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CASE STATUS:

Cleared Exceptional, Offender Death

***** End of Report ***** Racette #270

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER	DATE	REVIEWED BY
Cantrell	105 07/06/2014	ryan.cantrell Cantrell, Ryan 7/16/2014 13:38

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE: I am currently assigned as the supervisor for the Robbery and Property Crimes Unit of the Hayward Police Department's Criminal Investigations Bureau. On 07/06/14 at approximately 0500 hours I was contacted at my residence via telephone by Lt. Lutzinger regarding an officer involved shooting and asked me to respond and assist with Peer Support Team activation. I advised him that I was not on call, but would contact Sgt. Divinagracia about the incident and to activate the team. At about 0530 hours, I spoke with CIB Lt. B. Koller regarding the incident and it was determined I would respond to assist Sgt. Forkus who was the on-call investigations supervisor.

I left my residence and responded to the Hayward Police Department (HPD) and arrived at approximately 0600 hrs. Upon my arrival I met with Sgt. Forkus and he advised me that several other members of the Criminal Investigation Bureau (C.I.B.) were also responding to assist with the investigation.

At 0625 hours the investigative team for this incident attended a briefing in the Watch Commanders conference room. The on-duty Watch Commander, Lt. Lutzinger, briefed the team on the incident.

After the briefing of the incident, I was assigned to assist Sgt. Forkus with supervisory responsibilities. Ultimately, my main responsibility was overseeing the search of the motel room located at 500 West A Street #179.

Once the Coroner's Office removed the deceased's body, CST Marquez, Detective Mulhern, Detective Mosby and I conducted a search of the room and located several items of evidentiary value. I located two cell phones in black backpack found on the N/W corner of the room. The remaining backpack's contents appeared to be that of a female's (i.e. clothing).

Once the search was completed, the room was secured and we cleared the location at approximately 1345 hours.

END OF NARRATIVE - Sgt. R. Cantrell #105

REPORTING OFFICER

Cantrell

105

DATE

07/06/2014

REVIEWED BY

ryan.cantrell|Cantrell, Ryan|7/16/2014|13:38

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER	DATE	REVIEWED BY
Hoyer	338 07/06/2014	mark.ormsby Ormsby, Mark W 8/1/2014 08:37

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

On 07-06-2014 about 0406 hours, I was employed by the City Of Hayward as a Peace Officer. I was assigned to the Homicide/Major Assaults Unit as a Detective. I was working an overtime shift as a Patrol Officer. I was assigned to the G beat in the southern portion of Hayward on the "Midnights" shift. I was dressed in a full class C uniform with all proper patches and insignias and was driving a fully marked HPD Dodge Charger.

I was returning to the Hayward Police Department from an outside assist call in Union City. I was travelling north on I880, just south of West Winton Avenue. I heard a radio broadcast related to a subject refusing to exit a hotel room at the Phoenix Lodge located at 500 West A Street. I responded to the hotel and dispatched myself to the incident with the in car computer immediately upon my arrival (0418 hours). I parked my patrol vehicle in the western most parking lot and entered the hotel through the north door, which was not locked. I walked up the north stairs to the third floor, where Officer Landreth and Officer Flores were standing outside room number 179. There were two females and a male also in the public hallway. The three subjects were upset and were complaining about an unknown male forcing his way into their room. The three subjects had already been detained in handcuffs prior to my arrival.

Officer Flores advised that they had yelled into the apartment and demanded that the subject still inside room number 179 come outside. Officer Flores told me that the subject had yelled back in response and refused to come outside. Officer Flores explained that the three subjects that were detained in the hallway, had been in the room and were forced out by the subject now inside room 179. Sergeant Lunger arrived on scene and asked me to stand with the three subjects near the southern stairway. I stood with the three subjects down the hallway and was informed that Officers were planning to make entry into the room and detain the suspect.

I asked the three subjects if they knew the person inside. They all shook their heads no. The male told me he had done time with the suspect and thought his name might be Jeff, but had no other information about him.

I saw Officer Landreth had a pass key and it appeared he was attempting to use it to unlock the door

REPORTING OFFICER

DATE

REVIEWED BY

Hoyer

338

07/06/2014

mark.ormsby|Ormsby, Mark W|8/1/2014|08:37

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

to room number 179. I walked the three victims further south in the hallway. I heard Officers yelling and demanding the suspect to open the door. Officer Landreth used the key and opened the door and began to make entry. Several HPD Officers had arrived on scene. I saw that Officer Flores was behind Officer Landreth, but I did not see which Officer was behind Officer Flores. I was talking to the three victims as the Officers made entry. The three victims were standing to the south of me and I was between them and the room.

I heard what sounded like the door opening and a struggle. I heard the sound of a single gunshot, a short pause (a few seconds) and then two additional gunshots. The last two shots were fired approximately a second apart from each other.

I heard a request for HFD and Paramedics over the radio. I also heard Sergeant Lunger directing someone to provide medical aid to what I believed was the suspect inside the room. I walked the three subjects into the stairwell and stood there with them until Officer Gray arrived at my location. I stayed at the south stairway door on the third floor and made sure no one entered the hallway. Officer Gray walked the three subjects downstairs after they agreed to come to the police department to provide statements.

I stayed in the hallway until I was relieved by Day shift patrol officers. I cleared from the hotel and returned to HPD. I had no further involvement in this investigation.

END OF NARRATIVE HZ4215 Z. Hoyer

REPORTING OFFICER

Hoyer

338

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/1/2014|08:37

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 6/29/2014 15:30	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]		

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]		

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		ADDRESS (STREET, CITY, STATE, ZIP)					
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

REPORTING OFFICER Harden	DATE 317 6/29/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 8/20/2014 18:05
------------------------------------	------------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

SUPPLEMENT:

On 7-6-14, at approximately 0628 hours, I responded to the Phoenix Lodge at 500 W. A St to assist and relieve HPD Officers already on scene.

I went to the 3rd floor and relieved Ofc Faria at the door of room 179, where he had started the crime scene log. I logged myself, and the other Officers who arrived on scene with me, into the log. I added investigators, DA personnel, and Coroners to the log as they arrived. I was relieved by Ofc Linteo at 1314 hours. She completed the log at 1334 hours when the Coroners arrived to collect the decedent.

I also made witness attempts at the neighboring rooms.

[REDACTED]: No answer.

[REDACTED]: Vacant.

[REDACTED]: Vacant.

[REDACTED]:
[REDACTED] said she checked into her room late on the night on 7-5-14. She went to sleep and said she did not hear any of the incident.

[REDACTED]: No answer

[REDACTED]:

Written statement taken from [REDACTED] [REDACTED] Stated he and his girlfriend [REDACTED] checked into his room at about 1800 hours on 7-5-14. He said they heard arguing (between a male and female) coming from room 179 intermittently throughout the night. [REDACTED] said it sounded like the two arguing knew each other, and that the male was getting "out of control." [REDACTED] said he later heard the Police arrive and the Officers trying to talk to someone inside room 179. A short time later [REDACTED] heard multiple gunshots coming from down the hall. Neither [REDACTED] or [REDACTED] looked out into the hall or went outside.

[REDACTED]: No answer.

[REDACTED]: No answer.

[REDACTED]: No answer.

End of report-M.Harden #317

REPORTING OFFICER

Harden

317

DATE

6/29/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:05

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:07	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

REPORTING OFFICER Sill	108	DATE 07/06/2014	REVIEWED BY ryan.sill Sill, Ryan 7/22/2014 16:53
----------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

On Sunday, 7/6/14, I was working as a Sergeant for the Hayward Police Department. At 0610 hours I responded to the Phoenix Lodge Motel, 500 W. A St., to assist with the investigation of an Officer Involved Shooting (OIS) that occurred earlier in the morning.

When arriving at the motel, I met with Sergeant Lunger who was on the third floor in front of room #179. Sergeant Lunger provided me with a brief summary as to what occurred stating that the subject who had been shot, later determined to be Jeffrey McKinney, died at the scene. It should be noted that McKinney was not initially identified as his identity was not known until several hours into the investigation. McKinney's body was currently inside room #179.

The motel room had been secured and was being held pending the issuance of a search warrant. I could see into the room from the hallway and observed McKinney was naked and lying face up on the floor. Sergeant Lunger advised me there were spent casings in the room as well a suspected bullet hole in the south wall of the room which led to the bathroom.

After speaking with Sergeant Lunger, I relieved him of his duties so he could return to the station. In addition, I had Officers Harden, Linteo, Matthews and McLeod respond to the scene to relieve officers who were maintaining the crime scene. Once the Officers arrived I had them conduct witness attempts on the third floor and maintain security of the scene. (Refer to their associated supplemental reports for details.)

I remained at the motel and monitored vehicle traffic which was leaving. I collected contact information from those subjects and questioned them about the incident. There was no information provided related to the incident; most subjects appeared surprised to learn a shooting had occurred. The following subjects are those that I contacted and the rooms which they were staying in:



- lives across the street at [REDACTED]. [REDACTED] had parked his vehicle in the motel parking but was not at the motel when the incident took place. He could not provide any information related to the incident.

While I did this, Officers Landreth and Flores arrived at the motel independently to collect personal property from their patrol cars. Their vehicles had been left at the scene in the position they initially arrived in. Officer Landreth arrived at 0858 hours and collected his property from vehicle #303 while Officer Flores arrived at 0920 hours to retrieve his property from vehicle #290.

REPORTING OFFICER

Sill

108

DATE

07/06/2014

REVIEWED BY

ryan.sill|Sill, Ryan|7/22/2014|16:53

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

Additionally, at 0930 hours Alameda County Coroners Deputies Gogna and Frazier arrived at the scene to take photos of the scene and attempt to identify McKinney. Crime Scene Technician Marquez responded the scene at approximately 0945 hours.

I remained at the motel until investigators arrived at which point I briefed them about the events since my arrival. I then left scene and had no further involvement. (Refer to the original and supplemental reports for further information.)

****End of Report - R. Sill #108****

REPORTING OFFICER

Sill

108

DATE

07/06/2014

REVIEWED BY

ryan.sill|Sill, Ryan|7/22/2014|16:53

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

ADDITIONAL SUBJECTS

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED] [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)		<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER Sill	108	DATE 07/06/2014	REVIEWED BY ryan.sill Sill, Ryan 7/22/2014 16:53
----------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:07	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER	DATE	REVIEWED BY
Matthews	07/06/2014	mark.ormsby Ormsby, Mark W 8/20/2014 17:54

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE: On July 6, 2014 at 0630 hrs. I responded to the Phoenix Lodge located at 500 W. A Street to replace Officer McKee as a crime scene perimeter unit. I arrived and took a position on the third floor of the motel at the top of the northern stairwell.

I was told that the occupants were to remain in their rooms until they had been identified. While I was assigned to the northern part of the hallway, no one exited their rooms or attempted to leave. At 0650 hrs. Sgt. Sill asked me to begin making witnesses attempts with the rooms at the northern end of this hallway. Officer Harden and Officer H. Linteo were also assigned to make witnesses attempts in middle and southern portions of this hallway. The following is a list of the witness attempts that I conducted while assigned to this incident:

- 1) [REDACTED] is the sole occupant of this room. She checked into the motel at 2200 hrs. last night and was asleep by 2330 hrs. She did not see or hear anything and was only alerted to police presence when she heard the police K9 barking in the hallway.
- 2) [REDACTED]
- 3) [REDACTED]
- 4) [REDACTED]
- 5) [REDACTED]
- 6) [REDACTED] had two occupants. The door was answered by a [REDACTED], [REDACTED]. The other occupant was [REDACTED], [REDACTED], [REDACTED], [REDACTED]. They checked into this room yesterday around 1700 hrs. They immediately left for dinner and returned to their room around 1930 hrs. and went to bed. They did not see or hear anything until they heard the police in the hallway.
- 7) [REDACTED]

This information was conveyed to Sgt. Sill at 0819 hrs. and I was relieved from this incident with no further involvement.

-----End of Narrative-----Ofc. M. Matthews #341

REPORTING OFFICER

Matthews

341

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|17:54

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER	DATE	REVIEWED BY
McAdams	490 07/06/2014	mark.ormsby Ormsby, Mark W 8/20/2014 18:03

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

On 07-06-2014 about 0432 hours I was dispatched to the Phoenix Lodge at 500 W. A Street to assist at a scene where there had been an officer involved shooting.

I arrived on scene at 0434 hours. I was directed by SGT Farro to stay with Officer Landreth. I was also asked by Officer J. Perryman to loan her my departmentally issued digital camera so she could take photos of Officer Flores.

Officer Perryman took a total of 7 digital photos of Officer Flores and of his partially opened knife. I later downloaded these photos to a CD and placed them into evidence at HPD.

SGT Farro later drove Officer Landreth back to HPD. I collected the electronic fobs for the patrol cars that had been driven by Officers Landreth and Flores. I maintained custody of those fobs until I turned them over to SGT Sill about 0650 hours.

After collecting the fobs, I was directed by SGT Lunger to make sure that all of the patrol cars at the scene were properly secured. Once I had done so, I began to log all of the vehicles in the lot. All plates were California unless noted. The results were as follows:

On the east side parking lot were parked in order from north to south starting with the west side of the lot were:

White Volvo 5nkp008
Blue Honda Accord station wagon 3xth023
Gray Chevrolet Uplander 5yjk409
White Ford Crown Victoria (Oakhlahoma plate) 760kfv
Gray Dodge Caravan (no plates) VIN 1d4gp243338133924
Blue Acura 2.3 6chd447
Gray Honda Accord 5pvs822
Green Honda Accord 3vcw500
White Honda Prelude 6yin790

The east side of the east lot from north to south:

Blue Dodge Ram 1500 80538H1
Gray Jeep Cherokee 4nbw663

The west side lot in order from north to south on the west side of the lot were:

White Toyota Corrola 6xwj385
Blue Dodge van 4tng823

REPORTING OFFICER	DATE	REVIEWED BY
McAdams 490	07/06/2014	mark.ormsby Ormsby, Mark W 8/20/2014 18:03

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

Gray Chevrolet pickup 4u17873
Silver Chevrolet Cruze 7aeg433
White Ford Explorer 4non389
Blue Mitsubishi Montero 4mix536

The west side lot in order from north to south on the east side of the lot were:

Gray Acura MDX 6mnf630
Green Geo Prizm 5ubg020
Gold Chevrolet Impala 4zpx292
Black Chevrolet Impala 5tav236
Blue Toyota pickup 8t25532
Silver Ford Windstar 4rer590
Silver Mercury Cougar 4gmg752
Silver Honda Civic 6fzp793
Red Nissan Sentra 4zrn223

I left the scene about 0650 hours.

****End of Narrative**** N. McAdams

REPORTING OFFICER

McAdams

490

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:03

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA. 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:10	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE		PFN	PRIMARY PHONE [REDACTED]		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

REPORTING OFFICER Gray	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 8/20/2014 18:02
----------------------------------	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

On 07/06/14, at approximately 0431 hours, I responded to the Phoenix Lodge located at 500 W. A Street for an officer involved shooting. Upon arrival, I escorted three potential witnesses from the third floor stairwell to the west end of the parking lot. In the parking lot, I was instructed to transport witness [REDACTED] to the HPD station for interview. [REDACTED] agreed to the interview and transport. I transported [REDACTED] from the scene to HPD, and remained with her until I was relieved at the end of my shift by Officer Cole.

END OF REPORT *****D. Gray #318*****

REPORTING OFFICER

Gray

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:02

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA. 94544

EVENT	REPORTED DATE/TIME 7/6/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE		
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2		

REPORTING OFFICER Tran	441	DATE 7/6/2014	REVIEWED BY ryan.sill Sill, Ryan 7/16/2014 00:33
----------------------------------	-----	-------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

On 7/6/2014 at approximately 0431 hours, I responded to the Phoenix Lodge at 500 W. A St. When I arrived on scene, I was assigned to guard the north stair case on the third floor of the Phoenix Lodge. A short time later, I was asked to transport one of the witnesses to Hayward Police Station. The witness was identified as [REDACTED]. At the station, I sat with the witness until Ofc. Jenkins took my post.

End of Supplemental Report
Tran #441

REPORTING OFFICER

Tran

DATE

7/6/2014

REVIEWED BY

ryan.sill|Sill, Ryan|7/16/2014|00:33

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA. 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP)					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP)					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2		

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED] [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP)					
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]		
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2		

REPORTING OFFICER Cannon	497	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 8/20/2014 17:59
------------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE: On 07/06/2014, at 0419 hours, I was working patrol for Hayward PD. I was wearing a full class "c" uniform and driving a fully marked patrol vehicle (297) with overhead lights and siren. I was dispatched to 500 West A Street #179 (Phoenix Lodge) in reference to a 415U PC - Unwanted Persons investigation. Officer Flores advised a male was inside of a room and was not invited in. The male was refusing to come outside of the room.

I arrived on scene and replaced Officer Perryman in the west parking lot. While in the parking lot I requested information on which room the male was inside. Officer Flores advised the room was on the third floor of the building. Officer Landreth advised the room was six windows south from the front of the building (North Side). I counted down and noticed the sixth window had the blinds completely open. The window had two parts to it, one piece of glass, which appeared to slide open (North window) and a second piece of glass, which appeared to be stationary (South window). There was an object propped up in the south window inside of the room. It appeared to be a stick. I could see a light on the east side of the room was on, near the doorway. The rest of the lights inside of the room were off.

I positioned myself directly across from the window, on the far west end of the parking lot. I backed myself up against the bush/fence along the west end of the property. I could see partially into the room. I have been inside of these motel rooms several times in the past and have a good idea of the dimensions, approximately ten feet by eighteen feet. Each room has a single bathroom, which is closest to the door and on this side of the hotel is on the south west side of the room. There is a small entry way, which leads into a larger area for the bed. I could see the television was mounted to the north wall of the room, close to the west wall. From my position, I was able to see approximately half way into the room. I could not see the entrance door to the room. I noticed there was a light on close to the door, which I know is in the walkway as you enter the room, just next to the bathroom.

As I was observing the room I noticed what appeared to be a male figure, which I estimated from my previous experiences inside of the room, to be approximately ten feet west of the doorway. The male was swinging his hands around and turning around. It appeared to me as if the male was dancing around inside of the room. The male then went out of my view. After a few minutes, I again saw the male as he walked up next to the windows. The male was again moving around and had his hands up by his chest. I could see something in the male's right hand and it appeared to be bottle shaped. Due to the light being behind the male I could not see exactly what the object was. I broadcasted the male's activity and what it appeared he had in his hand.

A few seconds later I heard what sounded to me like something being thrown around inside of the room. Immediately after Sergeant Lunger advised "shots fired." I was not sure if the male was shooting or if it was HPD Officers, so I moved south in the parking lot, to take cover behind a nearby vehicle. I heard two more gun shots and Sergeant Lunger again advised "shots fired." A short time later Sergeant Lunger advised HPD Dispatch to have HFD come in to render aid.

I ran upstairs to room #179 and saw Officer Faria standing near a black male. I noticed the room had

REPORTING OFFICER

Cannon

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|17:59

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

things strewn about all over. I noticed a hypodermic needles on the floor as I walked inside. The black male was lying on his stomach and was handcuffed. The male was completely naked. I noticed two apparent bullet wounds to the males back. One was on his upper left shoulder area and the other was near his lower right back area. The male was bleeding profusely from both of the wounds. I grabbed two nearby cloth items and placed them over the wounds. Officer Faria put pressure on the lower right wound and I placed pressure on the upper left wound. I asked the male to speak with me and I got no response. I moved the males head to see his eyes. As I was observing the male he had eye movement and appeared to be breathing. I continued to speak him, while keeping pressure on his wound. As I was waiting for HFD to arrive I noticed the male stopped having eye movement. I lightly flicked the male's eyes to see if there was any reaction. I did not see any physiological response from the male.

I took over placing pressure on the lower right wound from Officer Faria. I removed the cloth to see if any blood was still coming out of the wound. I noticed blood was no longer coming out. I placed the cloth back on and held pressure on both the males wounds, until HFD arrived. I assisted HFD in rolling the male over onto his back. HFD later pronounced the male deceased.

I was instructed by Sergeant Lunger to take (W) [REDACTED] back to HPD. [REDACTED] voluntarily agreed to go with me and I transported [REDACTED] back to HPD. I stayed with [REDACTED] until Detective Riley came to interview him.

END OF NARRATIVE: J. Cannon #497

REPORTING OFFICER	DATE	REVIEWED BY
Cannon	07/06/2014	mark.ormsby Ormsby, Mark W 8/20/2014 17:59

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 07:30	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	#	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER McKee	324	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 8/20/2014 14:58
-----------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

I am employed by the City of Hayward as a full time Police Officer, and have been since 1988. I'm assigned to the Hayward Police Department's midnight patrol team five. On 07-06-2014, I was dressed in full class "C" utility uniform equipped with all required safety equipment, and all proper patches and insignia identifying me as Hayward Police Officer. I was driving a fully marked Police Vehicle (304) equipped with roof mounted emergency lights/sirens, exterior mounted spotlights, and a push bar located on the front bumper.

At about 0410 hours I responded to the Phoenix Lodge North at 500 W. A st. as requested by Officer Flores who advised that a subject had locked himself inside a room and was reportedly making threats toward Officer Flores. Upon arrival I placed my vehicle in the eastern driveway with my emergency rotating lights on/ I made sure the vehicle completely blocked the paved driveway, and I locked my vehicle after turning the screen of my MDT. I then responded to the third floor of the Lodge. Upon arrival I found police personnel (Sgt. Lunger, Officer Flores, Officer Landreth and Officer Faria) attempting communication with the unknown subject inside the room. Officer Perryman had her police service dog in the hallway I stood behind the canine. It was found that the two key cards that the officers had to the room were not unlocking the door. I then ran to the office where I obtained the master keys for the building from the desk clerk [REDACTED] [REDACTED] [REDACTED]. I quickly returned to the third floor room where I gave the keys to Sgt. Lunger. As the officers lined up on the north side of the doorway to the room I fell in line between Sgt. Lunger and Officer Perryman and her Police service canine.

Once Officer Cannon advised that the subject was looking out the window toward the western parking lot area the door was unlocked and Officers began moving toward the doorway, however a large desk/ dresser had been moved inside the room to block the doorway. As the door forced the obstacle into the room the officers began filing into the room. As I entered the doorway I heard a gunshot, and smelled the odor of OC spray. I did not know whether the gun was fired by the suspect or officers. I could not see into the room as the movement into the room had slowed or stopped. I heard two more rapid gunshots as I entered the interior bathroom doorway to ensure there were no persons in the bathroom. As I began to exit the bathroom I saw three officers in the area of the center of the room. I advised Sgt. Lunger that the bathroom was clear and I exited the room.

Next I was asked to head outside to assist Fire on arrival. I went downstairs where there were other officers. I was asked to return upstairs to guard the south stairwell of the third floor which I did until relieved by dayshift at about 0645 hours. Upon return I was advised By Sgt. Farro that I was to complete a supplemental report, and I would not be interviewed. All statements in this supplemental are true and accurate based on my activities at the scene only.

END OF NARRATIVE- L.R. MCKEE #324

REPORTING OFFICER	DATE	REVIEWED BY
McKee	07/06/2014	mark.ormsby Ormsby, Mark W 8/20/2014 14:58

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/07/2014 08:00	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Other		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB [REDACTED] AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]		PFN [REDACTED]	PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

REPORTING OFFICER Mosby	499	DATE 07/07/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 8/20/2014 15:05
-----------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

SUPPLEMENT REPORT NARRATIVE:

At the time of this incident, I was assigned to the Hayward Police Department's Criminal Investigations Bureau as a Detective. On Sunday 07/06/2014 at 0450 hours, Sergeant K. Forkus called me and requested that I respond to HPD to assist with an officer involved shooting investigation.

At 0615 hours, I arrived at the police department and attended a briefing with CIB personnel. The briefing was conducted by the watch commander, Lieutenant J. Lutzinger, and I learned the following in summary:

This morning at 0407 hours, officers were dispatched to the Phoenix Lodge located at 500 W. A Street as a manager called to report a disturbance. A female guest was outside of the lobby, armed with a knife, saying a male forced his way into her room and locked her out of it. Upon the responding officers arrival, it was determined the involved room was #179, located on the third floor. The female guest along with a male and second female was detained outside of the room. Officers then attempted to contact the individual in the room; however, attempts to get him to come out of the room voluntarily were unsuccessful. Entry was made into the room, but the door was barricaded with furniture. After a struggle to get the door open, Officer Landreth made entry and discharged his firearm as he encountered the male subject. Officer Flores made entry behind him, and discharged his firearm twice. The male subject was shot and declared deceased by responding medical personnel. At some point in time, either after or before the encounter, there was a spontaneous statement made that the subject was armed with a pipe. At the time of the briefing, it was unknown who made that statement.

Lt. Lutzinger advised a crime scene was established and the room was secured by patrol personnel. He also explained the three people who were contacted outside the room prior to the shooting were transported to the police station for interviews. After the briefing, Detective Racette instructed me to contact one of the two female witnesses and begin interviewing her with Inspector R. Lampkin.

Inspector Lampkin and I went to the police department lobby/records area where Officer D. Jenkins was standing by with (W) [REDACTED] [REDACTED]. We escorted [REDACTED] to CIB interview room 218 where we interviewed her about what happened. The contents of that interview are documented under Inspector Lampkin's supplement report; refer to it for further details.

During the interview though, I noted that [REDACTED] had scratches on her arms and right shoulder and had a swollen bottom lip. She advised the injuries were from a physical altercation which occurred between her and the decedent after he forced his way into her room. The injuries consisted of the following:

- Swollen bottom lip

REPORTING OFFICER

Mosby

499

DATE

07/07/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|15:05

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

- An approximate 1" long scratch on her left upper arm just above the elbow
- Multiple scratches ranging in sizes of about ½" to 1" in length along the backside of her upper left arm
- An approximate 2" long scratch on the top of her right shoulder
- An approximate 2" - 3" long scratch on the exterior of her left wrist

I didn't see any visible injuries to her hands. I took 19 photographs of [REDACTED] and her visible injuries and booked them into HPD evidence on a CD.

After the interview was concluded, I escorted [REDACTED] to the HPD elevator so she could leave. Prior to her leaving, I provided her with my business card and told her to call me if she remembered or anything else about the incident.

While at the police department, Sergeant P. Divinagracia provided me with Officer K. Landreth's department issued digital voice recorder. Sergeant Divinagracia advised Officer Landreth asked him to retrieve the voice recorder from his locker to give it to investigations. I did not listen to the recording and later gave it to Detective Riley.

At 0950 hours, Detective E. Mulhern and I met with the Honorable Judge David Krashna, where he reviewed and signed the search warrant authored by Detective Mulhern. After that, Detective Mulhern and I drove to the scene where the search warrant was served. Refer to Detective Mulhern's supplement report for further.

Upon our arrival at the scene, I contacted [REDACTED] who was outside of the motel. I asked [REDACTED] if she would speak to me a little bit more to which she agreed. I explained to her that her room needed to be searched due to the investigation. [REDACTED] gave consent to search her room and signed a consent to search form, which is attached to this report. I asked [REDACTED] a few other questions about her room and learned she checked in on Wednesday 07/02/2014 and was set to check out today (07/06/2014) at 1100 hours.

I recorded [REDACTED] giving consent to search her room with my department issued digital voice recorder and later downloaded the recording into the HPD PUMA database. [REDACTED]

I then contacted the motel clerk, (O) [REDACTED] who provided me with a copy of the registry for [REDACTED] room. The document indicated that [REDACTED] checked in on 07/02/2014 and was set to check out today. It also confirmed the room was registered to her. [REDACTED]

REPORTING OFFICER

Mosby

499

DATE

07/07/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|15:05

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

[REDACTED]

I then assisted Detective Mulhern with searching room #179 pursuant to the search warrant. CST M. Marquez was already on scene and assisted with processing the room for evidence.

Detective Mulhern instructed me to begin searching the area between the bed and the bathroom wall. On the ground in that area was a pink colored bag. I searched the bag and located indicia with [REDACTED] name on it along with a black iPhone. CST Marquez photographed the items and collected them at Detective Mulhern's and my request.

Near the door to the hallway in the open closet area was a white plastic bag with clothes. I recalled [REDACTED] advising that when the decedent initially entered her room, he was carrying a plastic bag which she thought contained clothes.

I searched through the bag and saw that it contained a black/red jacket, pair of socks, an unopened can of soda, and a silver colored, folding box cutter which was in the closed position. I also located in one of the jacket pockets several coins and multiple 1" x 1" clear plastic press lock baggies. Based on my training and experience, I recognized the baggies as those of which are commonly used to store illegal drugs such as methamphetamine. I didn't see anything inside the baggies. I notified Detective Mulhern and CST Marquez of the items and CST Marquez collected them. [REDACTED]

[REDACTED]

Refer to Detective Racette's report for further.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*** END OF REPORT DET. J. MOSBY #258

REPORTING OFFICER

Mosby

499

DATE

07/07/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|15:05

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 7/6/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER	DATE	REVIEWED BY
Mulhern	427 7/6/2014	ryan.cantrell Cantrell, Ryan 7/10/2014 07:39

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

I am currently assigned as Detective in the Robbery/Burglary Unit of the Hayward Police Department's Criminal Investigations Bureau. On 07/06/14 at approximately 0445 hrs I was contacted at my residence via telephone by Sgt. Forkus. Sgt Forkus advised me that there had been an officer involved shooting and asked me to respond and assist with the investigation.

I left my residence and responded to the Hayward Police Department (HPD) and arrived at approximately 0600 hrs. Upon my arrival I met with Sgt Forkus and he advised me that several other members of the Criminal Investigation Bureau (C.I.B.) were also responding to assist with the investigation.

At 0625 hrs the investigative team for this incident attended a briefing in the Watch Commanders conference room. The on-duty Watch Commander, Lt. Lutzinger, briefed the team on the incident. The following is a summary of what was provided by Lt. Lutzinger:

This morning at 0407 hours, officers were dispatched to the Phoenix Lodge located at 500 W. A St as an employee of the hotel called HPD to report a disturbance. The employee reported that a female guest was outside of the lobby, armed with a knife, saying a male had forced his way into her room and locked her out of the room.

Upon the arrival of officers Landreth and Flores, it was determined the involved room was #179, located on the third floor. The female guest along with a male and second female were detained outside of the room. Officers then attempted to make verbal contact at the door with the male subject inside room 179; however their attempts to get him to come out of the room voluntarily were unsuccessful. Based on the situation and the male subject behavior officers Flores and Landreth requested additional units. After the arrival of additional units the officers again attempted to gain the cooperation of the male subject, and again the male subject refused to cooperate.

The decision was made to enter the room and a contact/ arrest team was formed. The team consisted of Ofc. Landreth who was the point officer, he was followed by Ofc. Flores, Ofc Faria, Ofc Mizuhara and Sgt. Lungert was at the rear.

As the team attempted to make entry into the room, it was discovered that the door was barricaded with furniture; furthermore, the male subject tried to keep the door closed by pushing on it. After a struggle to get the door open, Officer Landreth made entry and he encountered the male subject. During the encounter with the male subject Ofc Landreth discharged his duty handgun once. Officer Flores made entry behind Ofc Landreth and he discharged his duty handgun twice. The male subject was struck by the gunfire and fell to the floor where he was detained in handcuffs. HFD and Paramedics Plus responded and administered emergency medical aid to the male subject; however he succumbed to his injuries and was declared deceased at the scene. At some point in time, either after or before the encounter, there was a spontaneous statement made that the subject was armed with either a bottle or pipe. At the time of the briefing, it was unknown who made the statement.

REPORTING OFFICER

DATE

REVIEWED BY

Mulhern

427

7/6/2014

ryan.cantrell|Cantrell, Ryan|7/10/2014|07:39

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

Lt. Lutzinger advised us that a crime scene was established and the room was secured by patrol personnel, pending a search warrant. He also explained the three people who were contacted and detained outside the room prior to the shooting were transported to the police station for interviews.

Sgt. Forkus assigned me to author a search warrant for the hotel room as part of the investigation. I returned to my desk where I authored a search warrant for 500 W. A St room 179 Hayward, Ca. It is known that the hotel has a video surveillance system, based on this I was asked to include the video recording system in the search warrant.

After completing the search warrant I contacted the Alameda County Sheriff's Office Communications Center in order to get in contact with the On-call Judge. I received a telephone call from the Honorable Judge David Krashna and explained to him that I had a search warrant which needed authorization by the Alameda County Superior Court. The Honorable Judge David Krashna directed me to meet him at the Alameda County Sheriff's Office Eden Township Substation at 1000 hrs. Det. Mosby and I responded to the Alameda County Sheriff's Office Eden Township Substation and met with the Honorable Judge David Krashna. The Honorable Judge David Krashna reviewed the search and after doing so granted the issuance of the search warrant.

After getting the search warrant signed by the Honorable Judge David Krashna I called Det. Racette and advised him that the search warrant had been signed. Det. Mosby and I responded to the 500 W. A St #179 and arrived there at approximately 1035 hrs. Upon my arrival there I met with CST Marquez, who was assigned to process the scene. Det. Racette advised CST Marquez of the issuance of the search warrant, therefore she began processing the scene prior to my arrival.

I met with the Hotel Manager, [REDACTED] and served him with a copy of the search warrant. I also advised that the search warrant included the collection of the hotel's video surveillance recording system. [REDACTED] removed the Digital Video Recorder from the hotel's computer system and handed it to me. I provided [REDACTED] with a receipt for the DVR. I later placed the DVR into HPD Property as evidence.

I returned to room 179 and as I stood in the doorway looking into the room I noted that it was in disarray. There was a wooden desk placed upright on its side with the desktop facing east just inside the door. The desk was along the south wall of the small hallway that leads to the main area of the room. The position of the desk obstructed the movement between the main area and the door to the room. I saw that there was an uncapped hypodermic syringe (an orange cap was located on the bed) and an open bottle of Gatorade on the interior side of the desk, which was now facing towards the ceiling due to the desk being turned up onto its side. To the south of the entry door is the bathroom and across from the bathroom was an open closet area along the north wall of the room. I noted that there was a small hole in the south wall of the hallway which appeared to have been caused by a bullet. This wall is one of two walls that separate the bathroom from the main area of the room. I noted three shell casing on the floor near the north wall of the room. The other furniture in the room consisted of one bed, two nightstands and a chair.

I noted that the decedent, identified as McKinney, was lying on the floor on the east side of the bed in a supine

REPORTING OFFICER

Mulhern

DATE

7/6/2014

REVIEWED BY

ryan.cantrell|Cantrell, Ryan|7/10/2014|07:39

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

position, with his head to the east and his feet to the west. He was completely naked and his wrists were handcuffed behind his back. I noted an overturned wooden chair along the north wall of the room. I saw that the drawers from the desk had been removed and were on the floor along with several items of clothing and other miscellaneous items, which were strewn about. In looking around I noted that there were several cellular phones in various locations throughout the room. CST Marquez photographed and videotaped the scene prior to any items being searched or moved. CST Marquez then collected items of evidentiary value. [REDACTED]

Det. Mosby, Sgt Cantrell and I began searching pursuant to the search warrant. I searched a black suitcase located on the floor in the N/W corner of the room and in doing so I did not locate any items of evidentiary value. I searched the night stand located on the west side of the bed and located two identification cards, [REDACTED] in the name of [REDACTED] and the other was a [REDACTED] in the name of [REDACTED]. [REDACTED] pointed out the ID cards to CST Marquez, which she photographed and collected.

I assisted CST Marquez in recovering the bullet from the south wall of the hallway. I used a sheetrock saw to cut out a portion of the sheetrock that included the bullet hole. Once the hole was cut an examination of the area inside the wall showed no signs that the bullet went through the wall into the bathroom. I then cut a hole at the bottom of the wall between the studs at which time the bullet was located and collected by CST Marquez.

At approximately 1240 hrs I called the Alameda County Sheriff's Office Coroners Bureau and spoke with Dep. Frazier. I advised him that we were ready for them to respond and to remove McKinney's body. Dep. Gogna and Frazier arrived at the scene and removed McKinney's body. I was advised that the autopsy would most likely take place on Tuesday 07/08/14. I gave Dep. Gogna my contact information and asked him to arrange for me to be notified when the autopsy is scheduled.

After the room was processed and we were done with our scene investigation I left a second copy of the search warrant and a two page receipt for the items collected from the room. The copy of the search warrant and the receipt were left on the desk inside room 179.

On 07/08/14 at approximately 0835 hrs I received a phone call from a Coroner's Bureau technician and she advised that the autopsy on McKinney will start around 0930 hrs. Det. Bugarin and I responded to the Alameda County Coroners Bureau to attend the autopsy. Upon our arrival we met with Dr. Thomas Rogers, who was going to perform the autopsy on McKinney.

The autopsy started with an external examination of McKinney. During the examination [REDACTED] determined that McKinney had four gunshot wounds, three entrance wounds and one exit wound. One of the entrance wounds was located at the rear of the left shoulder. The bullet was moving towards the front and to the right through the chest cavity. A second entrance wound was located at the lower right side of the back. The bullet traveled from

REPORTING OFFICER

Mulhern

DATE

7/6/2014

REVIEWED BY

ryan.cantrell|Cantrell, Ryan|7/10/2014|07:39

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

the rear towards front and into the abdominal cavity where it struck the liver.

Two bullets were recovered from McKinney's body. One of the bullets was intact and deformed into a mushroom shape. This bullet was recovered from the soft tissue on the right side of McKinney's chest below his right nipple. The second bullet was recovered in two pieces from McKinney's internal cavity. The two recovered pieces consisted of the jacketing which was deformed and the lead bullet, which was also deformed.

The other entrance wound is associated to the exit wound and is located on the inner portion of McKinney's right bicep near the armpit. [REDACTED] identified this wound as a superficial soft tissue wound only. The bullet travels from the front to back and at angle of left to right. It travels through the soft tissue area of the armpit and exited at McKinney's right side, just below the armpit. Based on the wound and the path of the bullet through the soft tissue, I asked [REDACTED] if this wound was consistent with McKinney's right arm being elevated and reaching forward at the time he was shot. [REDACTED] confirmed that this injury was consistent with McKinney's right arm being elevated and reaching forward at the time he was shot.

I explained to [REDACTED] that it was known that the involved officers fired a total of three rounds. I also explained to him that we recovered an intact bullet from one of the walls at the scene. [REDACTED] said that based on the totality of the circumstances the bullet recovered from the wall was the bullet that caused the aforementioned entrance and exit wound.

[REDACTED]

End of report Detective E. Mulhern

REPORTING OFFICER

Mulhern

DATE

7/6/2014

REVIEWED BY

ryan.cantrell|Cantrell, Ryan|7/10/2014|07:39

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:07	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER Lampkin	222	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 8/20/2014 18:01
-------------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

At 0440 on 6 July 2014, I received a phone call from Criminal Investigation Bureau (CIB) Sergeant Ken Forkus. Forkus instructed me to respond to the police department to assist with the investigation of an officer involved shooting.

At 0625, I attended a briefing of the shooting that was given by Lieutenant Lutzinger, who was the on-duty watch commander. Lutzinger provided the following summary of the shooting; Lutzinger explained that just prior to the shooting, the Hayward Police Communications Center received a phone call from the clerk at the Phoenix Lodge hotel, located at 500 West A Street in Hayward California. The clerk explained that there was a female in the lobby complaining that a subject who was unknown to her, had locked her out of her rented room. The female was later identified as witness [REDACTED].

Lutzinger said that responding officers arrived and discovered that the suspect, later identified as Jeffery McKinney, had barricaded himself into room 179. Information given to the officers indicated that McKinney was possibly under the influence of alcohol or drugs.

An entry team was assembled, which consisted of Officers Landreth, Flores, Mizuhara and Sergeant Lunger. A pass key was used to gain entry into the room; and McKinney reportedly attempted to take Officer Landreth's firearm, which resulted in officers Landreth and Officer Flores fatally shooting suspect McKinney.

After the completion of the briefing; I was assigned to assist with interviewing witness [REDACTED]. The interview commenced at 0650 hours; Detective Jason Mosby was the lead-interviewer. The interview with witness [REDACTED] is summarized below:

[REDACTED] verbally provided her personal information, which included her residence and driver's license number. [REDACTED] did not have identification in her possession and stated that it was still inside of her room. [REDACTED] said that she had been staying at the Phoenix Lodge since July 3rd. [REDACTED] said that she does have a permanent residence in Oakland, but was staying at the Phoenix Lodge on a vacation, and to get away from everyone at home.

[REDACTED] said that on 4 July 2014, she encountered witness [REDACTED] [REDACTED] who she referred to as the "Nice Guy." [REDACTED] would subsequently confirm that [REDACTED] was who she referred to as the "Nice guy" by looking at a single photograph of him. [REDACTED] said that she did not know [REDACTED] before she saw him on 4 July, but talked to him because he had rented a nearby room.

[REDACTED] said that just prior to the encounter between the police and McKinney, who she referred to as the

REPORTING OFFICER

Lampkin

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:01

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

"Bad" guy", she saw [REDACTED] walking in the hallway near her room with McKinney. [REDACTED] was having a conversation with McKinney. [REDACTED] said that the two of them were talking and stated that they were not arguing or anything. [REDACTED] said that she did not notice any hostilities between [REDACTED] and McKinney at this time.

[REDACTED] said that she joked with [REDACTED] and asked, "Where is my hamburger" because she noticed that [REDACTED] was holding a hamburger. [REDACTED] said that [REDACTED] came into her room and they spoke for less than ten minutes when McKinney knocked on the door. [REDACTED] said that [REDACTED] whispered to her not to open the door, but she opened the door despite [REDACTED] request that she not do so.

[REDACTED] said that McKinney began "Loud talking" with [REDACTED] about a cell phone. [REDACTED] believed that McKinney was making accusation that [REDACTED] had taken his phone. [REDACTED] told McKinney to leave and told McKinney that he and [REDACTED] could go somewhere else to have this discussion. [REDACTED] attempted to close the room door, but McKinney used his foot and prevented the door from closing.

[REDACTED] said that McKinney began to push his way past her and into the room. [REDACTED] said that she was yelling at the top of her lungs, "Get out of my room." [REDACTED] said that McKinney yelled that the room was his and forced his way into the room. [REDACTED] said that McKinney claimed to have paid for the room and refused to leave. [REDACTED] said that she and McKinney had a physical altercation and struggled for five to eight minutes before McKinney pushed her outside of the room and locked her out. [REDACTED] said that [REDACTED] made no attempt to intervene.

[REDACTED] described McKinney as being crazy and "Off of his meds." [REDACTED] described McKinney as having a "Crazy" look in his eyes, and saying something to the effect of "You're one of them...you're one of those people." [REDACTED] said that he appeared as if McKinney was high off of anything that he could find.

[REDACTED] stated that she went downstairs and told the clerk what happened and the clerk contacted the police. [REDACTED] said a few minutes later she noticed that there were police officers walking up the stairs. [REDACTED] said that she spoke briefly with the officers and explained that she just wanted her room back. [REDACTED] said that she told the police officers that she did not know the person who had entered her room and told the officers that the guy had kicked her out of her room.

[REDACTED] said that she did not tell the officers about the fight between her and McKinney. [REDACTED] said that the officers asked her if she had seen McKinney with any weapons. [REDACTED] said that she replied that she had not. [REDACTED] described McKinney as wearing only a t-shirt and shorts.

[REDACTED] said that she was then instructed to wait while the officers made attempts to get McKinney to leave

REPORTING OFFICER

Lampkin

222

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:01

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

her rented room. [REDACTED] explained that she waited three or four doors down from the room where the incident was occurring. [REDACTED] said that she heard the officers order McKinney to open door "Hella" times; but that McKinney refused to do so. [REDACTED] said that the officers clearly identified themselves as police officers; but it appeared as if McKinney "Did not give a shit." [REDACTED] could hear McKinney telling the officers to go check downstairs. [REDACTED] said that she could hear one officers creating a possible scenario for McKinney; saying, "You don't want me to call all these others officers and the dogs here?" [REDACTED] said that McKinney had a really unpleasant attitude, and responded with "Fuck you, fuck the dogs, I'm not opening the door."

[REDACTED] said that additional officers arrived, along with a police service dog. [REDACTED] described clearly hearing the officers identify themselves as Hayward Police Officers. [REDACTED] said that she heard the dog-handler warn McKinney about being bitten by the police service dog. [REDACTED] said that she heard this warning three or four times before police entered the room.

[REDACTED] described a group of officers making a plan before entering the room. [REDACTED] remembers specifically one of the officers discussing "Spray." [REDACTED] said that she watched the police try to enter the room, but described them having difficulty doing so. [REDACTED] said that the police did something to unlock the door; the police were pushing the door and [REDACTED] believed that someone, presumably McKinney was pushing the door from the other side.

[REDACTED] said that she heard the officers say something to McKinney right before she heard "bap, bap, bap." [REDACTED] said that the sound that she heard might have been gunshots, but stated that she did not want to say because she was not sure about it. [REDACTED] said that she heard the sound almost right after the officers entered the room. [REDACTED] said that she heard McKinney say something after hearing the popping sounds, but she is not aware of what he said.

At the completion of the interview, Detective Mosby photographed injuries that [REDACTED] obtained during her altercation with McKinney (Refer to Mosby's supplemental report for a description of the injuries).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I had no further involvement in this investigation.

CASE STATUS:

REPORTING OFFICER

Lampkin

222

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:01

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

Refer to Detective Racette's report.

****LAMPKIN/END OF NARRATIVE****

REPORTING OFFICER

Lampkin

222

DATE

07/06/2014

REVIEWED BY

mark.ormsby|Ormsby, Mark W|8/20/2014|18:01

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER	DATE	REVIEWED BY
Riley	285 07/06/2014	Ormsby, Mark W

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

On 07/06/14 about 0500 hours, I received a call from Sgt Forkus advising me there had been an Officer Involved Shooting (OIS) and requested I respond to HPD to assist in the investigation.

About 0626 hours, I attended a briefing regarding the incident. I learned Officers Landreth and Flores were involved. This incident occurred at the Phoenix Lodge, 500 W. A Street, room #179. The suspect had not been identified as of the briefing. However, was later identified as Jeffery McKinney [REDACTED] by the Alameda County Coroner's Office. Det Racette was the lead investigator and I was to assist him.

The following details were related in the briefing:

About 0406 hour, HPD received a 911 call from the desk clerk at the Phoenix Lodge. The clerk reported a female; late identified as [REDACTED] [REDACTED] [REDACTED] was at the front desk requesting help getting a male out of her room that was unwelcomed and had forced his way into the [REDACTED] room. The clerk also reported [REDACTED] had a knife in her hand.

Officers Flores and Landreth arrived first and attempted to talk McKinney out of the room with negative results. Other officers arrived along with Sgt Lunger. McKinney was yelling at the officers stating he wanted to see some "titties" and that he was not coming out.

Sgt Lunger decided to enter the room. Officers Landreth, Flores, Faria, Mizuhara and Perryman were outside [REDACTED] room attempting to talk McKinney into coming out. Ofc Perryman had her K9 with her and made several notices to McKinney identifying herself and of the K9. Ofc Landreth obtained a master key to the room from the hotel management. Ofc Cannon was out in the west parking lot and had a view of the room. Ofc Cannon broadcasted via his radio that McKinney was by the window and was holding an object in his hand; possibly a glass bottle. Once all the officers were positioned, they entered the room in the following order; Officers Landreth, Flores, Faria, Mizuhara, and Sgt Lunger. Ofc Landreth attempted to open the door. However, the door was barricaded with furniture. Ofc Landreth pushed the door open and entered the room followed by Officers Flores, Faria, Mizuhara, and Sgt Lunger. As Ofc Landreth was entering the room, McKinney charged him reaching for his handgun. Ofc Landreth fired one shot. As the entry team continued to enter the room, McKinney charged at Ofc Flores and was reaching for Ofc Flores' handgun. Ofc Flores fired two shots stopping McKinney.

McKinney fell to the floor and was handcuffed. Officer's noticed McKinney had gunshot wounds. First aid was attempted and emergency medical personnel were requested via radio. HPD personnel arrived and administered medical aid to McKinney. However, McKinney was later pronounced dead by HFD personnel.

Two other persons were also in room #179 when McKinney forced his way into the room; [REDACTED]

REPORTING OFFICER

DATE

REVIEWED BY

Riley

285

07/06/2014

Ormsby, Mark W

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

██████████ and ██████████. Both agreed to be transported to HPD and be interviewed.

About 0653 hours, Det Racette and I interviewed ██████████ interview room #222. Refer to Det Racette's supplement for further.

About 0845 hours, Det Racette and I interviewed ██████████ in interview room #222. Refer to Det Racette's supplement for further.

About 0953 hours, Det Racette and I responded to the scene along with Alameda County Deputy District Attorney K. Wong and District Attorney Inspector A. Moreland.

Deputy Gogna from the Alameda County Coroner's Office had arrived, obtained McKinney's fingerprint and left the scene prior to our arrival.

About 1020 hours, I received a call on my cell phone from Deputy Gogna. Dep Gogna advised me he had identified McKinney by his fingerprints. I related this information to Det Racette and Sgt Forkus. Detective Mulhern called Det Racette and informed him the search warrant he authored had been signed by a Judge. Detectives Mulhern and Mosby arrived a short time later to serve the search warrant.

After CST Marquez took initial photos of the scene, Det Racette, Sgt Forkus, Lt Keener, DDA K. Wong, DA Inspector A. Mooreland, and I entered the room. I noticed the room was in disarray.

There was a desk lying on its side several feet behind the front door. There as an empty syringe and an open Gatorade bottle lying on the desk. The syringe plunger was completely pushed into the barrel. I saw an oblong hole on the wall between the room and the bathroom. The drawers from the desk were lying on the floor throughout the room. There was a chair lying on its side along the north wall just west of the partition wall separating the open closet and rest of the room. There were computers and several other miscellaneous items laying on the floor and bed. There was a chrome luggage stand lying on the north side of the bed and west of McKinney's feet and an opened glass liquor bottle between the bed and east wall.

I noticed three expended casings lying on the floor; one against the north wall east of a garbage can in the open closet, one near the rear leg of the chair, and one along the north wall west of the chair.

McKinney was lying on his back in a diagonal position with his head in a southeast direction and his feet in a northwest direction. McKinney was completely naked and lying on the back with his head turned to the right. McKinney was lying on the floor on the east side of the foot end of the bed. McKinney's left arm was under his body and his left hand was exposed on the right side of his body. McKinney's right arm was lying along the right side of his body. McKinney's hands were handcuffed. There was blood on McKinney's right armpit area, right side of his stomach, left shoulder/chest area,

REPORTING OFFICER

Riley

285

DATE

07/06/2014

REVIEWED BY

Ormsby, Mark W

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

and on his face. I did not see any wounds or where the blood had come from.

Det Racette and I then returned to HPD followed by Lt Keener, Sgt Forkus, DDA Wong and DA Inspector Mooreland.

About 1139 hours, I attended the interview with Sgt Lunger. Refer to Det Racette's supplemental report for further.

On 07/07/14 about 1633 hours, I attended the interview of Officer Mizuhara. Refer to Det Racette's supplemental report for further.

About 1736 hours, I attended the interview of Officer Faria. Refer to Det Racette's supplemental report for further.

About 1905 hours, I attended the interview of Officer Flores. Refer to Det Racette's supplemental report for further.

About 2051 hours, I attended the interview of Officer Landreth. Refer to Det Racette's supplemental report for further.

On 07/08/14 about 1021 hours, Det Racette and I responded to 1640 D Street to make contact with McKinney's next of kin. We spoke to [REDACTED] who told us she was [REDACTED] [REDACTED] There were other family members home with [REDACTED] Det Racette informed [REDACTED] and other family members of this incident. We provided them with counseling information and answered questions regarding this incident. [REDACTED]

I later transferred all the officer interviews to a compact disc and forwarded it to Huntington Court Reporters & Transcription, Inc. to be transcribed. As Huntington Court Reporters & Transcription, Inc. completed each interview, the transcriptions were emailed to me. I loaded all the completed transcriptions onto a compact disc and booked it into evidence at HPD.

END OF REPORT

REPORTING OFFICER

Riley

285

DATE

07/06/2014

REVIEWED BY

Ormsby, Mark W

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

Detective S. Riley #285

REPORTING OFFICER

Riley

285

DATE

07/06/2014

REVIEWED BY

Ormsby, Mark W

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES		STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER Perryman	470	DATE 07/06/2014	REVIEWED BY phil.divinagracia McCrea, Matthew 9/13/2014 05:26
--------------------------------------	-----	---------------------------	---

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE:

On 7/6/14 I was in full Police uniform in adherence to HPD policy and procedure. I was working patrol for the City of Hayward as a Police K9 unit with my Police Service Dog (PSD) "Krull."

At about 0417 hours, I heard a radio broadcast to assist Ofc. Flores and Ofc. Landreth with a male suspect refusing to leave a room and threatening officers at the Phoenix Lodge (500 W. A Street). As I responded, units on scene advised that the room was on the third floor and that they had people detained from the room with one refusing to comply with commands and being threatening. Ofc. Flores requested more units respond to assist.

I arrived at the exact time as Sgt. Lunger. I took a post at the west side of the Lodge to watch the 3rd story windows in case the male fled out the windows. At 0422 hours, Ofc. Cannon took my post and by 0423 hours I was on the 3rd floor with my PSD to assist the reaction team. I heard Ofc. Flores and Ofc. Landreth knocking on a door and announcing their presence as I made my way up the stairs to the 3rd floor. There were 3 people sitting on the floor just north of the room. These 3 people were the original occupants of the room. I asked that the 3 people be moved to the south portion of the hallway so that I could get closer to the target room.

Once I got near the room, Ofc. Flores and Sgt. Lunger informed me that the people that had rented the room did not know the suspect still inside and that the suspect had forced his way into the room and was possibly under the influence of drugs. The suspect was refusing to come out of the room for Police and was threatening to engage Police. I could hear the suspect yelling profanities through the door. The suspect was so loud and aggressive that it was causing my K9 to alert by barking - I could hear "fuck you!" and "Bitch!", but could not make out the complete sentences of what the suspect was saying (because my PSD was barking). It was clear the suspect was agitated and I could hear things banging around in the room.

At this time, the exact association between the 3 people that had rented the room and the suspect was unclear. At least one of the 3 knew the suspect as "Jeff", his old "bunk mate" from jail.

The entire time I was on the third floor numerous commands were given to the suspect to come out of the room. I heard Sgt. Lunger, Ofc. Flores and Ofc. Landreth give the suspect several commands to come out of the room. The suspect was refusing to comply and yelling back at the officers.

I conferred with Sgt. Lunger and we decided that we'd make K9 announcements, but not utilize the K9. Sgt. Lunger could not confirm the number of occupants inside the target room. As a result, the usage of the dog did not meet Hayward K9 usage Policy #318 guidelines. Though not fool proof, the presence of a K9 often commands compliance.

Ofc. Flores, Ofc. Landreth, Ofc. Mizahura, Ofc. Faria, Ofc. McKee and Sgt. Lunger positioned

REPORTING OFFICER	DATE	REVIEWED BY
Perryman 470	07/06/2014	phil.divinagracia McCrea, Matthew 9/13/2014 05:26

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

themselves at the door of the room. I turned on my PUMA DIGITAL RECORDER and made 3 K9 announcements. The suspect continued yelling back at us, but would not come out of the room. The suspect was yelling about "titties" and "Fuck you!" but at no time did he say or indicate that he was surrendering or coming out.

Exactly 4 minutes and 30 seconds went by after my first K9 announcement. A few seconds later (4 min. 35 seconds) Ofc. Cannon advised us that he could see the suspect in the window with possibly a bottle in his hand. Sgt. Lunger gave the go-ahead for officers to enter the room, since Ofc. Cannon had eyes on the suspect at the window.

As we entered the room I was 5th in line. I heard a gunshot right as Officers first cleared the threshold, but I did not have a full view into the room because of the 5 officers in front of me and a large piece of wood furniture pushed up against the entry. I heard Sgt. Lunger say, "Shots Fired!"

Sgt. Farro was behind me, so I stepped out of the doorway and moved my K9 a few steps south down the hallway to be out of the way. I heard a male voice yell, "DON'T REACH FOR THAT!" and then heard 2 more gunshots.

I asked Ofc. McKee to request medics. I took a post at the north end of the hallway and was immediately relieved by Ofc. Tran. I instructed Ofc. Tran to stay at the north end of the hallway and keep people in their rooms until witness attempts could be conducted and that nobody was to leave. I went downstairs to put my PSD back into my patrol car.

I directed medical services and other responding officers to the target location as they arrived and made sure that all the police vehicles were secure and not blocking other emergency services from responding. I also kept people from entering the Lodge until we had the immediate scene secured. Ofc. Flores was in the parking lot next to Ofc. Mizahura's car. I went over to him because he mentioned his knife was open inside of his pocket. Ofc. Mizahura took the knife from Ofc. Flores. I asked Ofc. McAdams if he had a camera and he got one for me. I took immediate photos of Ofc. Flores and of the knife while Ofc. Mizahura had it. I gave the camera back to Ofc. McAdams and asked that he download the photos into evidence.

My next responsibility was to return to the station and assist Sgt. Farro. I accompanied Ofc. Landreth until relieved by Ofc. D. Allen at 0700 hours. I was present when CST Reinke took photos of Ofc. Landreth and took possession of his duty belt.

ATTACH TO ORIGINAL

REPORTING OFFICER	DATE	REVIEWED BY
Perryman 470	07/06/2014	phil.divinagracia McCrea, Matthew 9/13/2014 05:26

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

END REPORT
PERRYMAN/KRULL

REPORTING OFFICER	DATE	REVIEWED BY
Perryman 470	07/06/2014	phil.divinagracia McCrea, Matthew 9/13/2014 05:26

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	#	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX) <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	SEX	RACE	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE		PHONE #2

REPORTING OFFICER Farro	117	DATE 07/06/2014	REVIEWED BY mark.ormsby Ormsby, Mark W 9/26/2014 08:17
-----------------------------------	-----	---------------------------	--

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

On 07/06/14, at 0423 hours, I was assigned as the midnight shift south patrol supervisor when I responded to the Phoenix Lodge, 500 West A Street to assist officers who were onscene with a suspect who was inside one of the rooms making threats. I arrived onscene and went to the third floor where Sergeant Lunger was supervising the incident.

I stood by and secured the north end of the hallway as the officer's made entry into the room. As they entered, I heard three gunshots come from inside the room where the officers made contact with the suspect. I did not have a view into the room from my location.

I then went to the entry door of the room and had Officer's Landreth and Flores step outside. I then walked with them downstairs and out of the motel where I met up with Lieutenant Lutzinger who directed me to transport them both back to the police station.

I transported both officers back to the police station where I stood by with them in the downstairs break room. Both officer's were separated away from the other at each end of the break room and were instructed not to speak to each other.

A short time later, Officer Perryman arrived and she escorted Officer Landreth out of the break room and to another location. I stood by with Officer Flores in the break room until Officer Johannes arrived and relieved me.

I later returned to the break room with Lt. Lutzinger and was present when CST Reinke collected Officer Flores' equipment.

End of Supplemental Report/Sergeant R. Farro #117

REPORTING OFFICER	DATE	REVIEWED BY
Farro 117	07/06/2014	mark.ormsby Ormsby, Mark W 9/26/2014 08:17

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE# **2014-00050695**

300 West Winton Avenue
Hayward, CA 94544

EVENT	REPORTED DATE/TIME 07/06/2014 04:06	OCCURRED INCIDENT TYPE	
	OCCURRED FROM DATE/TIME	OCCURRED THRU DATE/TIME	LOCATION OF OCCURRENCE

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	[REDACTED] [REDACTED]		[REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE	PHONE #2	
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	[REDACTED] [REDACTED]		[REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE	PHONE #2	
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	[REDACTED] [REDACTED]		[REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE	PHONE #2	
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED] <input type="checkbox"/> NON-DISCLOSURE			
	DOB AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP)			
	[REDACTED] [REDACTED]		[REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]	EYE	HAIR	HEIGHT or RANGE	WEIGHT or RANGE
	DL NUMBER/STATE		PFN	PRIMARY PHONE	PHONE #2	
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	

REPORTING OFFICER Linto	DATE 07/06/2014	REVIEWED BY Linto, Heather M
--	----------------------------------	---

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE

NARRATIVE: On 07/06/14 I was requested to respond to 500 W. A St., The Phoenix Lodge, where two Hayward Police Officers had been involved in a shooting. Upon arrival I responded to the third floor of the motel and began making witness attempts.

Rooms [REDACTED] were all vacant.

I spoke to [REDACTED] in room [REDACTED]. [REDACTED] primarily spoke Spanish. [REDACTED] [REDACTED], provided translation. [REDACTED] stated he and his family checked into the hotel on 07/05/14 at approximately 1800 hours. At 1530 hours [REDACTED] [REDACTED] heard a commotion in the hall, he could not explain what he heard exactly. No one else in the room heard anything and all slept through the night.

I spoke to [REDACTED] in room [REDACTED]. [REDACTED] stated that at about 0448 hours she heard someone knocking on her hotel room door. They knocked on the door two times. [REDACTED] woke her husband up, [REDACTED]. [REDACTED] looked out of the peep hole in the door but did not see anyone. [REDACTED] then heard a female out in the hallway yelling for someone to get out of her room. The female yelled "I don't know you, get out of my room." The female then yelled she was going downstairs to call the police. A short time later the police showed up. [REDACTED] could hear the police telling the man to come out of the room. The police told him he was not in trouble and they just wanted to talk to him. The male did not come out of the room. The police said they were going to get the dog. A female officer showed up with a dog and told the man multiple times to come out of the room. A short time later [REDACTED] heard "Boom! Boom! Boom!" and then everything was quiet.

[REDACTED] believed the female knew the male that was in the room because she had seen her with a male earlier in the evening. [REDACTED] described the male as being a black male, tall, with a bald head, wearing a black shirt.

[REDACTED] and [REDACTED] currently stay in hotels and frequently stay at the Phoenix Lodge. [REDACTED] works at the [REDACTED].

I contacted [REDACTED] [REDACTED] and [REDACTED] [REDACTED] in room [REDACTED]. [REDACTED] stated they did not hear anything. [REDACTED] later said something about hearing gunshots but would not say anything else.

I spoke to [REDACTED] in room [REDACTED]. [REDACTED] heard a male screaming "Get out of my room, get out of my room!" [REDACTED] then hear a female walking down the hall. The female was yelling at the male. [REDACTED] then saw the police lights and heard the police trying to get the male to come out of the room. [REDACTED] heard a dog barking loudly. [REDACTED] heard "boom, boom, boom" and the dog "going crazy".

All of the statements were recorded on my department issued PUMA and downloaded to the internal PUMA system.

At 1330 hours Deputy Gogna and Deputy Frazier from the Alameda County Sheriff's Office Coroner's

REPORTING OFFICER

DATE

REVIEWED BY

Linteo

146

07/06/2014

Linteo, Heather M

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

NARRATIVE (continuation)

Bureau removed Jeffrey McKinney from the scene. Deputy Gogna provided me with a receipt for the body. The Deputies did not remove any other items from the scene.

END OF REPORT

H. LINTEO #464

REPORTING OFFICER

Linteo

DATE

07/06/2014

REVIEWED BY

Linteo, Heather M

HAYWARD POLICE DEPARTMENT

CASE SUPPLEMENT REPORT

CASE#

2014-00050695

300 West Winton Avenue

Hayward, CA 94544

ADDITIONAL SUBJECTS

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]			EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]			PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]			EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]			PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]			EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]			PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]			EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]			PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

SUBJECT	SUBJECT TYPE Witness		NAME (LAST, FIRST, MIDDLE SUFFIX) [REDACTED]				<input type="checkbox"/> NON-DISCLOSURE	
	DOB [REDACTED]		AGE or AGE RANGE [REDACTED]		ADDRESS (STREET, CITY, STATE, ZIP) [REDACTED]			
	SEX [REDACTED]	RACE [REDACTED]			EYE [REDACTED]	HAIR [REDACTED]	HEIGHT or RANGE [REDACTED]	WEIGHT or RANGE [REDACTED]
	DL NUMBER/STATE [REDACTED]			PFN [REDACTED]		PRIMARY PHONE [REDACTED]		PHONE #2 [REDACTED]

REPORTING OFFICER Linteo	146	DATE 07/06/2014	REVIEWED BY Linteo, Heather M
------------------------------------	-----	---------------------------	---

HAYWARD POLICE DEPARTMENT - HAYWARD, CA

STATEMENT

<input type="checkbox"/> Informant	Name (Last, First, Middle)	Race	Sex	D.O.B.
<input type="checkbox"/> Suspect	Residence Address (Number, Street, Apt., City, State)	PFN #	Residence Phone	
<input type="checkbox"/> Victim				
<input checked="" type="checkbox"/> Witness	Other Address <input type="checkbox"/> Business <input type="checkbox"/> Mailing <input type="checkbox"/> School	DL/ID #	Other Phone	
<input type="checkbox"/> Parent				

ON 7-5-14, AT ABOUT 6pm, I CHECKED INTO MY ROOM AT THE PHOENIX (), NOT LONG AFTER GETTING INTO OUR ROOM, I HEARD ARGUING COMING FROM ROOM 179. IT WAS A MALE AND FEMALE I HEARD, AND THE MALE WAS GETTING OUT OF CONTROL. I FIGURED THE POLICE WOULD BE CALLED AT SOME POINT. IT SOUNDED LIKE THE MALE AND FEMALE KNEW EACH OTHER.

LATER IN THE NIGHT I HEARD THE POLICE COME. I HEARD THE POLICE TRYING TO TALK TO SOMEONE IN THE ROOM, AND I ALSO HEARD THE POLICE DOG BARKING. A SHORT TIME LATER I HEARD MULTIPLE GUN SHOTS COMING FROM THE DOWN THE HALL. MY GIRLFRIEND AND I STAYED IN THE ROOM AND DID NOT LOOK OUT.

THIS IS A TRUE AND ACCURATE STATEMENT.

X

Officer/Computer I.D.: HARDEN #317

Date/Time: 7/6/14 0724

Victim Advised Per:
293 PC ☐ Yes ☐ NoEntry
Clerk

Routing: CLETS, DA, DB, GANG, IA, JUV ARR, JUV 300, PROP, VICE, YFSB, DETECTIVE, NARCOTICS

OTHER:
12/95

HAYWARD POLICE DEPARTMENT - HAYWARD, CA

STATEMENT

<input type="checkbox"/> Informant	Name (Last, First, MI)	Race	Sex	D.O.B. /
<input type="checkbox"/> Suspect	Residence Address (Number, Street, Apt, City, State) <input type="checkbox"/> Hayward	PFN #	Residence Phone	
<input type="checkbox"/> Victim				
<input checked="" type="checkbox"/> Witness	Other Address <input type="checkbox"/> Business <input type="checkbox"/> Mailing <input type="checkbox"/> School	DL #	Other Phone	
<input type="checkbox"/> Parent				

ABOUT 0430 THIS MORNING SOMEONE WAS KNOCKING ON THE DOOR. I WOKE MY HUSBAND UP AND HE WENT AND LOOKED THROUGH THE PEEP HOLE AND DID NOT SEE ANYONE. WE EVENTUALLY OPENED THE V.G. DOOR AND LOOKED DOWN THE HALL AND DID NOT SEE ANYONE. I HEARD A WOMAN YELLING FOR SOMEONE TO GET OUT OF HER ROOM. SHE SAID SHE DID NOT KNOW HIM AND TOLD HIM TO GET OUT OF THE ROOM. SHE SAID SHE WAS GOING DOWNSTAIRS TO CALL THE POLICE. A SHORT TIME LATER THE POLICE CAME. THEY TOLD THE MAN TO GET OUT OF THE ROOM AND HE WOULD NOT COME OUT. I COULD HEAR THE DOG BARKING. THE LADY OFFICER WITH THE DOG TOLD HIM MULTIPLE TIMES TO COME OUT. SHE TOLD HIM TO COME OUT AND NOTHING WAS GOING TO HAPPEN THEY JUST WANTED TO TALK TO HIM. THEN ASKED HIM FOR A LONG TIME TO COME OUT. I HEARD THEM GO ^{V.G.} INSIDE. THEN TOLD HIM HE WAS NOT IN TROUBLE THEY JUST WANTED TO TALK TO HIM. THEN I HEARD "BOOM, BOOM, BOOM" AND THEN IT WAS QUIET.

THE MAN WOULD NOT COME OUT.

THIS IS A TRUE STORY * [REDACTED]

Officer/Computer I.D.: H. LINTED #464

Date/Time: 7/6/14 0725

Victim Advised Per:
293 PC ☐ Yes ☐ No

Entry
Clerk

Routing: CLETS, DA, DB, GANG, IA, JUV ARR, JUV 300, PROP, VICE, YFSB, DETECTIVE, NARCOTICS

OTHER:
12/95